



THE INDEPENDENT

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WEATHER: Sunshine and showers

40p (IR 45P)



The Tabloid

Phil Hammond, MD: Just don't call a doctor



The Tabloid

Fashion: New girl on the block

In the Tabloid

Women Work

A 16-page supplement on the changing world of women and work

Lethal bug in apple juice

Ian Burrell

The deadly E-coli bacterium which last week killed five people in the Scottish food poisoning epidemic can be spread by milk and apple juice as well as by meat, according to government scientists.

The *Independent* has learned that two elderly women died and 12 others were struck down last year in a similar outbreak, which was kept secret.

Scientists have started an investigation into the rising number of cases of E-coli 0157 food poisoning. Researchers from the Public Health Laboratory Service (PHLS), part of the Department of Health, said that E-coli was being passed on by an increasing number of products, including milk and potatoes, but that the scientists had little understanding of how cross-

and that a quantity of cold-meat stock had been destroyed.

Several victims are pursuing private legal actions against the butcher.

He added that public health officials were becoming increasingly concerned at the variety of food products acting as a vehicle for the E-coli bacterium, which was previously thought to be contained only in under-cooked beef. "We are seeing a wider number of vehicles for transmission than previously suspected," he said.

"We have seen a number of recent cases of cross contamination to ham and sausage. In the US it has been found in apple juice; in Sheffield it was in milk, and there are reports from Japan of it being found in sprouting radishes. Just how the cross-contamination occurs we do not know."

The PHLS study, which began in May, was set up to identify the risk factors of E-coli 0157, and the types of products that acted as vehicles. The research was ordered by the Department of Health after concern that there had been 28 major outbreaks of E-coli 0157 since 1992 and 17 of them had resulted from food-borne transmission.

The bacterium had been carried by raw potatoes, milk and yoghurt as well as turkey-roll sandwiches and the minced beef products which were commonly regarded as the likely source. It is also spread by contact with animals.

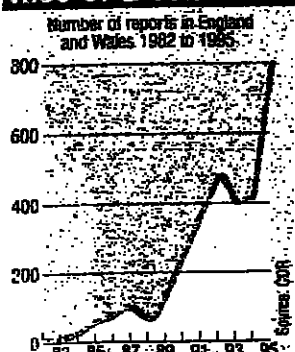
Meanwhile, scientists in America and Canada have traced an outbreak of E-coli 0157, which struck down 45 people last month, to a supply of unpasteurised apple juice.

In Scotland, the Monklands Hospital in Airdrie, Lanarkshire, has taken on an extra 12 nurses to deal with 32 adults and one child who are being treated in the hospital for illness caused by the food bug.

The epidemic, which has been linked to a butcher in Wishaw, Lanarkshire, has led to 57 people - 48 adults and nine children - being treated in hospitals throughout Scotland. Nearly 1,000 people have contacted a helpline set up to deal with the concerns of the public.

In Parliament yesterday, Michael Forsyth, the Secretary of State for Scotland, denied he had misled the Commons over the epidemic, and repeated his assertion that it had been a decision by the local authority, North Lanarkshire Council - and not the Scottish Office - not to release a list of food suppliers linked to the food poisoning until five days after it broke out.

Rise of E-coli cases



contamination occurred. British cases of E-coli 0157 have risen from 53 in 1985 to 1,046 last year. Yesterday a Scottish hospital which is treating the bulk of the 282 victims of the latest E-coli epidemic said it was swamped and had closed its doors to non-emergency patients.

A previous outbreak, in Sunderland, Tyne and Wear, in August last year, was not made public at the time because the Government was already trying to alleviate fears over the safety of beef in the BSE scare.

David Tregoning, consultant in public-health medicine at Sunderland Health Authority, said that the source of the poisoning was quickly pinpointed to one Sunderland butcher's shop and there had been no need to go public. "The infection was concentrated on a fairly small area," he said.

The butcher at the centre of the scare was closed for an environmental health inspection but, on the advice of local authority scientists, no prosecution was brought.

Mr Tregoning said that the infection was likely to have been spread by mis-handling of meat,



Kenneth Clarke: A change of policy on the single currency would be 'senseless'

Photograph: David Modell/VPG

Clarke puts a Euro arm lock on Major

Anthony Bevins
London
Sarah Helm

Kenneth Clarke yesterday put a political armlock on No 10, blocking any attempt by the Prime Minister to jettison the Tories' wait-and-see policy on the European single currency.

Repudiating repeated reports that John Major was tempted to rule out British participation in the first wave of the single currency for the lifetime of a new Parliament, the Chancellor of the Exchequer made it crystal clear that his position would become untenable if that happened.

"I don't believe that for one moment anything of that kind is being contemplated," he told BBC radio's *Today* programme.

Even the most diehard Conservative opponents of a single currency conceded last night that Mr Clarke's words closed off their escape route from a single currency. Mr Clarke would be unable to remain as Chancellor defending a "senseless" policy in an election campaign - and Mr Major would risk splitting his party wide open if he forced his Chancellor to resign.

That one word from the Chancellor, "senseless", has turned private threats into a public ultimatum. The Government's present policy on the single currency - that a decision will be taken when the precise terms of membership are known - has been designed to keep both sides of the Conservative Party together.

The policy was reaffirmed by Mr Major during the Conservative Party conference in October, and Michael Heseltine, the deputy prime minister, said only on Sunday that there would be no change in the standing policy agreement.

In spite of that the Euro-

sceptic *Daily Telegraph* yesterday carried a front-page report saying that Mr Major had the backing of 18 of 22 Cabinet members for an "historic policy shift in favour of fighting the election on a pledge to keep the pound".

A senior Conservative Central Office source told *The Independent* last night that he "did not recognise" the *Telegraph* story. That tends to confirm the widespread Whitehall suspicion that Mr Major's own political staff is sending out signals in an attempt to weaken Mr Clarke's will to resist.

If that is the case, the terms of his Radio 4 reply should be enough to convince No 10 that it has lost the unequal struggle.

"The *Daily Telegraph* is owned and edited by people who hold extremely anti-European views," Mr Clarke said from Brussels.

"The Prime Minister and I were on the platform together at the party conference about six weeks ago uniting our party around a sensible policy... The idea that six weeks later we are all talking about changing it is quite preposterous in my view."

The Chancellor, who will wind up tonight's Budget debate in the Commons, yesterday braved the latest bout of Euro-scepticism as he met fellow finance ministers in Brussels for a meeting to discuss rules and fines for the single currency, under the so-called "stability pact". The pact, proposed by Germany, envisages a system of strict fines for countries which over-spend after the launch of the Euro.

An ICM poll for the *Guardian* last night showed that Labour had increased its lead over the Conservatives to 19 percentage points, putting Labour on 50 per cent (up three points), the Tories on 31 per cent (down three points), and the Liberal Democrats on 15 per cent (no change).

Euro strikes fear, page 13

The cappuccino crisis that nearly sent London down the Tubes

Barrie Clement
Labour Editor

London Underground services came within a whisker of a shutdown by maintenance workers keen to protect their inalienable right to a cappuccino break.

The tastes of the British worker seem to have moved on since the 1960s. In those days the working man would defend the right to a tea break. And tea meant tea. Not coffee, not fruit juice and certainly not fizzy water. The tea was brewed in a white enamel can. Sweet, hot, dark and barely liquid.

Now the white cans are long gone and the quaint habit of tea drinking is increasingly associated with the more senior shopfloor operatives. As part of a productivity deal in

1993, the 600 workers at London Underground's Acton works finally relinquished their twice-a-day 20-minute tea break. Tube management agreed that in return they would instal machines for hot beverages of a whole range of up to its collective nose at the tea available from new machines installed a month ago which was regarded as more axle grease than Assam. Instead they took to the milk-based beverages: some to hot chocolate, but most to cappuccino.

Keen to save money, however, management withdrew the milk-based cappuccino and hot chocolate options, leaving tea and ordinary coffee. London Underground yesterday however said it wasn't their fault. Tube management were paying 4 to 5p a

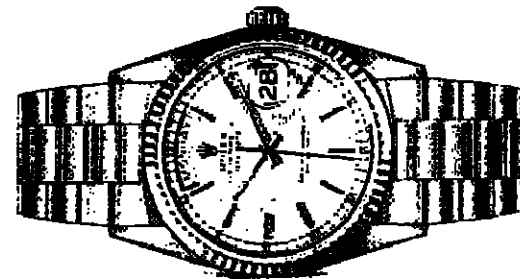
cup, but caterers complained that milk-based drinks were costing them 18p to produce. Within days the whole plant was threatened with a strike by shop stewards assailed by colleagues itching to walk out unless the "cappuccino option" was reinstated.

Officials from the RMT transport union were called to the plant last week and left in no doubt by their members that they would strike unless the "status quo" was re-established. Tube managers then caved in and cappuccino is now back on tap.

Jimmy Knapp, the tea-drinking general secretary of the RMT said: "I've no doubt that board members have a good selection of teas and coffees at board meetings and my members deserve nothing less."

Leading article, page 13

WHERE
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QUICKLY

Serbs take to streets
Tens of thousands of Serbs defied government warnings and demonstrated against President Slobodan Milosevic as the authorities contemplated using force to end two weeks of street unrest in Belgrade. Page 11

French defy fish ban
Ten French fishing boats defied a British ban and entered a restricted area of Channel Island waters. Fisheries inspectors took notes. Page 3

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'Until the Welsh get Hollywood billing, no one is going to take their Assembly seriously. Least of all themselves.'

constituency occupies a similar geographical position relative to the inner ring road as Mr Marshall's, save that it is south of the Thames. At least Robert Hughes (Con, Herefordshire) has the same for it, but he wanted to ask about a Welsh Assembly which would be "a financial disaster for Wales". (Having stood outside the Catalan Assembly in Barcelona – the most vibrant city in Europe – he was not alone in admiring the matrons dance the *sardanha*, I do not quite comprehend the connection some MPs make between devolution and economic collapse.)

Compared with his colleagues, Geoffrey Clifton-Brown (Con, Herefordshire) is positively Welsh. On a fine day you can

practically see Wales from his state's home. And Geoffrey knows that true democracy is. So could he congratulate the minister on taking the Welsh Grand Committee to the States, and "actually bringing government closer to the people"?

Intrigued, I phoned the Welsh Office. Where had it been? Where was it going? Perhaps it would be hosted in London, as the Welsh Government had been. Or would it be widely in the south to Irish in the North? Er, no. It had met at Cardiff, would meet next in London, there had been some thoughts about Carmarthen, and Bangor might be a nice question.

So my guess is that: why don't you turn up with it? This is, after all, the nation of Ithelwen an Gruffydd. Owen

Gwendry, of the red dragon on the green hill, of the Men of Harlech. Wales has its burned villages, ravished maidens and pillaged churches. Its heroes and traitors, its sword and pike rebellions. And yet Mel Gibson will not painfully be shaping the accents of Old North Wales around the vowels of New South Wales. They won't be paying the Celtic price in Rhineland to see the forebears of Mr Marshall and Lady Olga stagger around with pieces of Celtic ironware protruding from their bodies.

They must rectify this. For unless the Welsh do get proper Hollywood billing, one is tempted to take them and their Assembly seriously. Least of all themselves.

The work of a distinguished heart surgeon is being investigated after the trust he works for was criticised for having above-average paediatric cardiac deaths, it was announced yesterday.

James Wisheart has voluntarily stepped down from clinical duties and from his post as medical director of the United Bristol Healthcare NHS Trust in order to co-operate with the independent review.

The decision followed two years of controversy at the Bristol Royal Infirmary where Mr Wisheart was an influential member of the

A couple who married after meeting in a mental hospital kidnapped and attempted to murder a taxi driver and the snatched a six-year-old boy in a "honeymoon" of horror, a court heard yesterday.

Douglas Byelong, 56, and his wife Julie, 26, admitted at Winchester Crown Court the murder of Mark Slater, an offence of affray and the kidnap of the boy.

Mr Justice Mantell made an interim hospital order against Julie Byelong who absconded from the Whittingham Hospital near Preston. Byelong, who had

be released into care in the community, will go to Broadmoor.

Mr Richard Onslow, prosecuting, described how, armed with knives, the couple then kidnapped and stabbed a taxi driver in Petersfield, Hampshire, killed a woman's dog and kidnapped a terrified six-year-old boy who had been playing on his bike outside a public house.

Council pays for coining it

Labour would cap Camelot's £1m-a-week profits from the National Lottery, but Richard Branson and his Virgin company are unlikely to win control of the lottery if Labour win the election. The millionaire businessman is keen to win the right to take over the running of the lottery with a non-profit-making

consortium from the current organisers, Camelot, which has been criticised for making excessive profits. Labour yesterday said it remains committed to allowing a non-profit-making organisation to take over, but senior sources told *The Independent* that another organisation, such as Virgin, could only take over the contract from Camelot, if their costs were lower. As well as a cap on profits, Labour would also require Camelot to hand the £6m a year interest on unclaimed prizes to the good causes.

Colin Brown

Two schoolgirls were ordered to serve two years' detention after admitting kicking a 13-year-old girl to death. The two girls, then aged 12 and 13, each kicked Louise

Allen once to the head in the incident at a fairground in Corby, Northamptonshire in April, Nottingham Crown Court was told. There had been a number of violent fights at the fair in the previous week, including one involving both the defendants.

At an earlier hearing the pair, who cannot be named for legal reasons, admitted manslaughter.

Yesterday they stood impassively as Mr Justice Hidden told them: "It was wicked violence and it resulted in the totally unnecessary death of that young girl."

The sentence was greeted with anger by Louise's family and by the police with "extreme disappointment".

roducing a euro-style coin. Isle of Wight Council, which had 12,000 tokens minted last year to raise funds for charity, and Pobjoy Mint of Sutton, Surrey, were given an absolute discharge by a stipendiary magistrate in Newport. The Treasury said the tokens breached an 1812 coinage law, because they displayed a £2 value.

The Hebridean island of Eigg was last night back up for sale after its owner turned down a bid its inhabitants. However, islanders said they would continue with their attempts to raise money and end what they see as years of misery at the hands of absentee landlords.

leave the island on the market to enable those who offered, and anybody else who might also wish to do so, more time to raise the necessary funds to meet the asking price of £2m."

A man described by a judge as the "executive director" in a multi-million pound alcohol bootlegging operation was jailed for five years yesterday. Anthony Spencer, 38, whose gang was known as The Libyans, was convicted at Maidstone Crown Court of evading duty between April and December 1994, during which about £4m worth of goods was brought in through Dover. The loss to the taxpayer was around £2m. Judge David Croft, QC, was told that Spencer had assets to cover costs totalling £700,000.



Photograph: Huw Evans

**Tony Heath
and Glenda Cooper**

The parents of two teenage students who died in the Cardiff meningitis outbreak paid tribute to their daughters last night as William Hague, the Secretary of State for Wales, told MPs that "all possible means" were being used to contain the outbreak.

The deaths of Ann-Marie Connor, 19, a first-year law student of London, and Samantha Milroy, a first-year pharmacy student of Stockport, Greater Manchester, left tutors and fellow undergraduates at the University College of Wales, Cardiff "devastated".

More than 1,000 students, university staff and visiting parents have been inoculated against the disease. Health officials said

that over 90 per cent of their target figure for immunisation had been reached, although they were still trying to trace 30 or 40 students who shared the same accommodation block as the five confirmed cases.

Ms O'Connor, 19, an only child, was a prize-winning pupil, was a member of the school orchestra and was a member of Professor Robert Lee, head of Cardiff law school, as extremely bright and capable. "She had an outstanding future ahead of her," he said.

Her mother called her "a high achiever in everything she did", and added: "She was popular and had lots of friends and made many more as a Cardiff schoolgirl."

Her mother, Mrs M. McIlroy, said: "We are proud of our daughter and all she has achieved in her short life. All we

have left are many happy memories of us together." This is our loss and Samantha's tragedy. There is no point trying to look for any reason in it. There is none."

Dr Keith Brain, Ms Milroy's tutor, said: "Her death has been devastating news to academic and administrative staff and to her close friends."

Yesterday 32 people were admitted to the University of Wales Hospital, with a variety of symptoms. Eight were due to be discharged later yesterday evening. None was regarded as having meningitis.

Dr Bill Smith, public-health director of the Bro Taf Health Authority, stressed that no new cases had been reported. He had been confirmed and added that the cause of the outbreak had yet to be determined.

In another part of the hospital a 20-year-old male student who has the type C meningococcal strain of the disease, which killed the two women, remained critically ill in intensive care. Two others continued to make good progress.

Mr Hagrie told MPs that despite the information about the epidemic, it was not possible to avoid when the results of medical tests were known, which might take several weeks. "I intend to await the report from the health authority on the outbreak before deciding whether to undertake any further inquiry," he said.

The students' union was expected to telephone local firms into a 24-hour survey. Around 1,700 calls had already been received by yesterday evening.

Students face spectre of illness

The shadow cast in yesterday's winter sunshine by the 10-storey tower block dominating Cyncoed, one of Cardiff's leafiest districts, seemed longer than usual. For 770 residents of University Hall, which has the tower block at its heart, the meningitis outbreak dominated student life.

Students - there are 13,000 in Cardiff - continued to attend lectures throughout the city. They presented a mixed response to what they saw as a widespread predicament.

Christopher Leech, a medical student, seemed relaxed. "Naturally, everyone is... extremely worried but the authorities appear to be acting very effi-

John, a Gibraltarian who declined to give his surname, and who is studying accountancy, said: "Of course there was a bit of panic to start with. But I feel confident now and I expect to be back on the Rock for my 20th birthday on 31 December."

The outbreak has trapped a number of visitors to the hall. Alka Shah arrived on Friday from Keele University, where she is reading management studies. "There's a lot of real stress - after all, two students have died. I just don't know how long it will be before I can get back to my studies," she said.

Students at a campus about half a mile away said they were baffled, because although they shared facilities with students at University Hall, they appeared to have received little attention.

Nicola Kirkpatrick, a physical-education student from Wrexham, North Wales, said: "Some of us play hockey with students from the hall, use the same changing-rooms and showers."

Fellow students Annie Petherick and Lorraine Kiamtia concurred. Ms Kiamtia, who comes from Mauritius, was dismissive: "Leaflets explaining about the illness have been left for us to pick up, and that's about it."

Rhodri Morgan, MP for Cardiff West and Labour's Welsh health spokesman, said there were questions demanding urgent answers. On BBC Radio Wales he said: "There was a case five weeks ago which was said to be completely unrelated to the recent ones. Can that really be true? It occurred in the same hall of residence."

And he asked whether the university authorities had made sufficient attempts to persuade students to stay put over the weekend. About 150 are understood to have left for the weekend on Friday night. By early afternoon yesterday morning he had reported back and had been vaccinated.

Victim of road rage stabbed 15 times

Charlie Bain

Police were yesterday hunting a road-rage killer who inflicted at least 15 stab wounds on a 25-year-old motorist, cutting his throat and leaving him for dead in a quiet country lane in Worcestershire.

Lee Harvey, 25, from Alvechurch, Worcestershire, suffered at least 15 stab wounds and died in front of his helpless

girlfriend Tracey Andrews, 28. The attack happened when the couple were driving down a deserted lane in the Alvechurch area late on Sunday night.

Ms Andrews, a mother of one, also from Alvechurch, witnessed the attack and suffered minor head injuries. She was being comforted by her parents in the village last night and did not wish to comment.

Detective Superintendent

Ian Johnston, leading the hunt for the killer, said the couple were travelling home after a night out at a pub in Bromsgrove in Mr Harvey's white Ford Escort, when he overtook another vehicle. It appeared that the other car, believed to be an F-reg dark-coloured Ford Sierra in a tatty condition, overtook Mr Harvey's car on the single track country lane and both vehicles

ground to a halt. Mr Johnston said: "An altercation took place between the two drivers. It was one of those sort of rows where there was some finger pointing and gesturing. It appears the argument was about the driving and linked to the overtaking manoeuvre that had occurred."

Harvey was on his way back to his car but didn't get there."

He added: "I would like to appeal to the driver of the vehicle, that if he had nothing at all to do with this assault, if it was unplanned and on the spur of the moment, for him to come forward and put the record straight."

Police said the passenger was a white male, aged 25-26,

overweight and wearing a dark coloured donkey jacket. The driver was a white male, around 18 or 19, with very short dark hair, 5ft 6ins to 5ft 8ins tall, slim with a very young face.

The murder is the second road-rage stabbing this year, following the death in May of Stephen Cameron, 21, during an argument with a motorist on a slip road off the M25 junction

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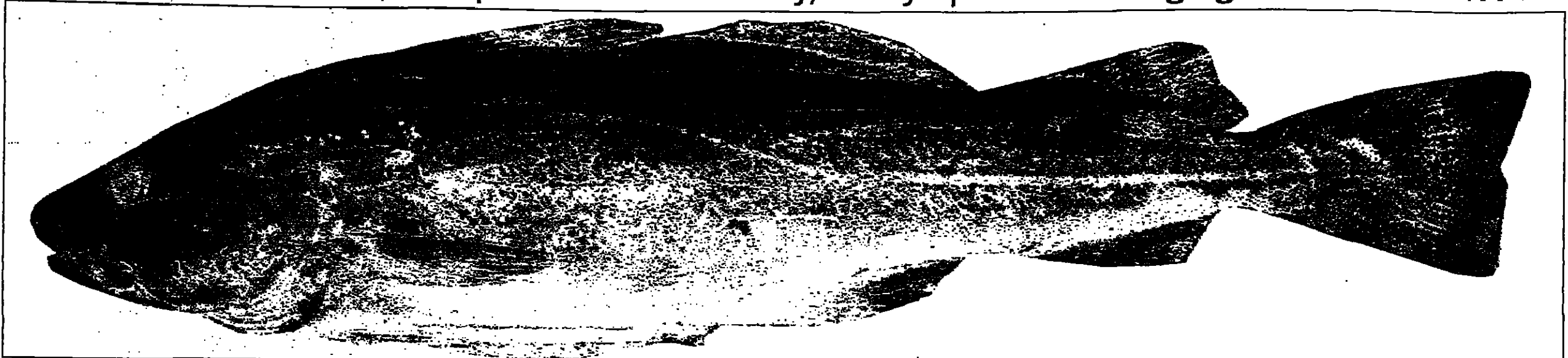
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Who's

Home sets the

Who's losing the cod war? The cod

As the British and French squabble over territory, many species are edging closer to extinction



Facing stock collapse: The cod is the most threatened and largest of the main commercial species in British waters. Since a peak of more than 300,000 tonnes in 1992, the North Sea catch has fallen to one-third of that level

Nicholas Schoon
Environment Correspondent

The fishing industry never feels festive at this time of year. It feels tense. For this is the season when the European Union gears itself up to decide how much the continent's fishermen can catch in the seas around Britain.

The process began last month, with scientific advice on the state of the stocks from a body called the International Council for the Exploration of the Seas (ICES). As usual the advice was gloomy, pointing out that several of the most commercially important species such as cod are at a dangerously low level.

The process will end in a long, frantic night of horse-trading in Brussels in just over a fortnight, when EU fisheries ministers sort out the final quotas. Based on past experience, they will have to pressure from their fishing industries and allocate larger catches to their fleets than the scientists say is prudent.

And so, for another year, across the broad and shallow waters of Western Europe's continental shelf, fishermen risk a dramatic collapse in a species such as cod to the point where it no longer turns up in their nets. That would ruin tens of thousands of livelihoods, thousands of them in Britain.

The industry receives this warning each year. It is getting louder, because environmental groups now consider over-fishing in the North Sea a major issue.

The fishermen know that they catch and kill many more fish than their quotas allow. Huge quantities are thrown back into the sea, dead, because they are illegally small or the wrong kind; having caught their quota of one species, the fishermen go for another, but find the first species in their nets.

Apart from discards, there is a substantial but completely unknown quantity of "black fish" - species which are over-quota or for which boats have no licence, which are landed in the dead of night at ports around Europe, some in Britain.

The industry also knows stock collapses are a reality. It happened to North Sea herring and mackerel in the 1970s, and by 1978 an annual herring catch which had stood at more than 700,000 tons eight years earlier had fallen to nothing. Herring stocks recovered in the North Sea; mackerel has not.

Yet the fishermen know their prey are still out there in large numbers, and question the scientists' advice. Some believe the experts exaggerate the threat, knowing that bargaining over the quotas will inevitably reduce the cuts they suggest.

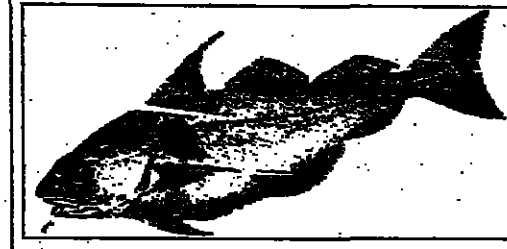
The cod is generally thought to be most at risk. It does not reach sexual maturity until the age of four, but the great majority in the North Sea and Western Approaches are caught before then. The national fisheries scientists gathered under ICES say the number of mature cod - the adults which must breed to produce future generations - is just over half the "minimum biological acceptable level" - below which the risk of stock collapse starts to escalate.

"The stock is considered to be outside safe biological limits," says the ICES report. It recommends a 20 per cent cut in catches, which it judges would have a 95 per cent chance of bringing cod stocks back to a healthy level within a few years.

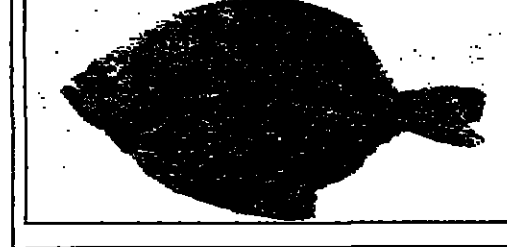
It points out that such a cut is unlikely to be achieved simply by reducing the cod quota, because large numbers of the



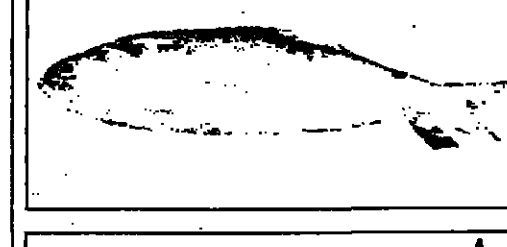
The endangered species



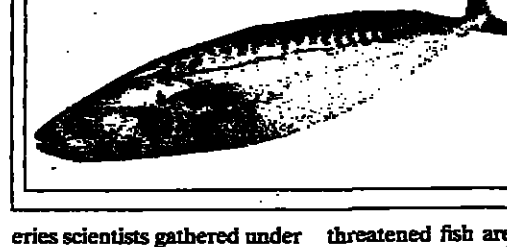
HADDOCK: A close relative of the cod and just as popular, battered up and wrapped in newspaper, in the nation's chip shops. It, too, lives on the seabed where it eats crabs and invertebrates. Smaller than cod, it reaches sexual maturity at three years old. It can grow up to 70 cms but rarely escapes trawler nets for long enough to do so.



PLAICE: Not the priciest of the flatfish, but the most abundant and commercially important. North Sea stocks have been declining through over-fishing, and are judged by scientists to be in danger of collapse - about 40 per cent are killed by fishing each year. The fish reaches sexual maturity at about three years, and in 15 years can grow to 75cm.



HERRING: A pelagic fish, swimming well above the sea bed and eating plankton. Grows to about 40cm in 10 years. Beloved by the British as kippers, hundreds of thousands of tonnes are caught each year in the North Sea to be made into oils and animal feeds. Stock collapsed spectacularly in the 1970s, and is in danger of doing so again.



MACKEREL: Another oily, pelagic fish which grows slightly larger than the herring. Huge quantities are caught for in an "industrial fishery" and processed in factories for oil and animal feed. Stocks in the North Sea collapsed in the 1970s and never recovered, but the quantities taken from waters further out to the west are rising.

threatened fish are caught by trawlers pursuing "mixed roundfish" - mainly a mixture of haddock and whiting. Stocks of North Sea haddock are also judged to be below the "minimum biological acceptable level", and so are several other species. They include the North Sea herring, which is once again in danger, having recovered from its spectacular collapse in the 1970s. Ideally, what is needed for all these threatened stocks is a serious, sustained laying-off of fishing. That would allow the number of breeding adults to recover to a level where more fish could probably be caught each

year than are taken now. EU governments seem highly unlikely to come up with the massive sums in compensation which fishermen would demand in return. And so the danger and the depletion continue.

Like his colleagues from other nations, the UK fisheries minister, Tony Baldry, is under pressure to reject any big quota cuts. "The Government will be particularly concerned whenever possible to avoid excessive year-on-year changes in quotas in order to avoid unnecessary displacement in the fishing industry," he said. But a collapse, if it comes, would be the ultimate dislocation for fish and man alike.

Little armada sails in for the battle of Guernsey

Philip Jeune

Ten French fishing boats defied a British ban yesterday and entered a restricted area of Channel Island waters.

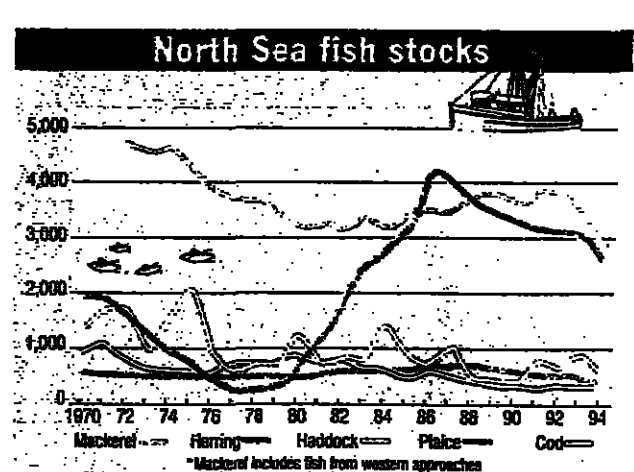
Sea Fisheries inspectors from Guernsey took the details of the boats, one of which was fishing, but no arrests were made.

The fishermen, from the Normandy port of Granville, were accompanied by a naval helicopter and a coast guard vessel, the *Covadonga*, which has apparently been ordered to intervene should any attempts be made to arrest the fishermen.

No Royal Navy patrol vessels were in the area. The only official British presence was inspector Stephen Ozanne and his colleagues in a chartered motorboat and a small inflatable.

The French fishermen are furious at Guernsey's decision to abandon a two-year-old agreement that permitted them to fish the area known as the Sark Box, and another area, the Haricot.

Guernsey withdrew from the agreement at midnight on Saturday but a shortage of diesel fuel due to the strike by French



lorry drivers, and 30-knot winds prevented the fishermen from making their protest until yesterday lunchtime. By then the winds had eased and the boats set sail for the Sark Box, which is to the south of Guernsey, arriving at around 2pm. Although it is not thought likely that the British authorities will arrest the fishermen, Guernsey councillor Ron Le Moignan issued a strong warning on Sunday, promising to "fight a guerrilla war with them". By yesterday the official Guernsey line had moderated, a diplomatic solution to the disagreement being considered more appropriate than confrontation. The Foreign Office is taking the same moderate line, seeking talks with the Ministry of Agriculture and Fisheries in Paris. "We have urged the French fishermen to show restraint," said a Foreign Office spokesman. "We are anxious that there should be talks as soon as possible to everyone's mutual agreement."

The French ministry, however, maintains that its fishermen have historic rights to enter the two areas under an agreement drawn up in 1839.

The fishing rights to the lucrative Channel Island waters have been disputed by the French for some years. In 1993 Mr Ozanne and fellow Sea Fisheries officer Ben Remfrey were kidnapped by the crew of a French fishing boat which they had boarded and taken to Carriker.

They were immediately returned to Guernsey by the French police but the following day 39 French boats blockaded the entrance to St Peter Port, their crews demanding talks with the Guernsey authorities.

Several French fishermen have been heavily fined for illegal fishing in the waters but this seems to have done little to deter them. One, who was fined last year, said on French television: "If they attempt to arrest me they'll have to sink me before I will go back to St Peter Port."

A milder taste of happiness.

Hamlet

SMOKING CAUSES HEART DISEASE
Chief Medical Officers' Warning

Home groans as Abbey sets the rate ball rolling

Clifford German

Mortgage rates are moving upwards across the board, with four lenders raising rates yesterday. They were led by Abbey National, which confirmed an increase in its standard mortgage rate for loans of less than £60,000 from 7.04 per cent to 7.29 per cent, effective immediately for existing borrowers and with effect from 18 December for new customers.

Abbey National's announcement follows moves by the Nationwide and Birmingham Midshires, which raised standard rates immediately after the increase in base rates last month. But the Nationwide,

the largest of the committed mutual societies, raised its rate from only 6.74 per cent to 6.99 per cent and was only catching up with the market.

Abbey National was already one of the dearest lenders and its decision to increase rates for the first time in two years breaks new ground.

Officially the market leader, the Halifax Building Society, says it will wait until the next meeting of the Chancellor and the Governor of the Bank of England on 11 December, when they discuss base rates, before deciding whether to raise its rates, and by how much.

But the Abbey National's decision is already putting pressure on the smaller societies. The Coventry Building Society yesterday increased its privilege rate for established borrowers to 6.50 per cent and its standard variable rate for new and recent borrowers to 7.25 per cent, both increases of 0.26 per cent effective from 1 January.

Some lenders are already anticipating a further rise in base rates from 6 per cent to 6.25 per cent next week. Northern Rock yesterday raised its privilege rate for established borrowers to 6.99 per cent and its standard rate to 7.49 per cent with effect from 1 January. Both rates are going up by 0.5 per cent.

Mortgage rates are being increased to pay for increased payments to savers. But lenders are deferring a decision on how much more to offer savers.

The Abbey National expects to announce new savings rates this week but has already said increases will range from 0.05 per cent to 0.25 per cent. Coventry Building Society will review rates for savers later this month and Northern Rock will announce new savings rates on 13 December.

Demand for fixed rate mortgages has tripled in the past month, and many of the more attractive offers are being withdrawn. Bristol & West withdrew its cut-price rate of 4.74 per cent fixed for two years last week.

news

Independent's story over first Aids victim proved right

Charles Arthur
Science Editor

Independent experts have cast serious doubt on suggestions that pure accident caused the results which led a team of Manchester researchers to mistakenly claim that the world's first Aids victim died in 1959.

Following an investigation by *The Independent*, which first revealed doubts about the research, the experts - who include an Oxford professor - say

there is only a 3 per cent chance the faulty tests which led to the claims arose through bad luck.

In 1990, a team of scientists at Manchester University found HIV, the virus that causes Aids, during retrospective analysis of tissue samples from David Carr, a 25-year-old apprentice printer who died of a mysterious illness in 1959. None were found in "control" samples from another person who died at the same time.

This led them to make the world-famous claim in the med-

World's first Aids case was false

How *The Independent* reported the story in March 1995

ical journal, *The Lancet*, that July that Mr Carr was the "world's first confirmed case of Aids". Based on this, a number of scientists theorised that Aids

was an ancient disease, rather than a new one which had arisen in the past few decades. But the Manchester claim was subsequently exploded by

The Independent, which revealed in March 1995 that American researchers had determined that the strain of HIV found in the tissues evolved too recently to have existed in 1959. In January, Andrew Bailey and Gerald Corbett, two of the three scientists who submitted the paper, wrote to *The Lancet* to admit "we can find no evidence ... to suggest that the 1959 Manchester patient carried [HIV]". Edward Hooper, a medical researcher, and Professor William Hamilton, a geneticist

at Oxford University, suggest two possible causes. The error which led to HIV being found only in Mr Carr's samples could either have occurred before the samples were sent to the laboratory where they were analysed, or by a mistake in breaking the "double blind" coding (which prevented them knowing whether the sample came from Mr Carr or a "control"). Few alternative scenarios appear feasible. Contamination of samples from Mr Carr by an HIV-infected knife would only

be explicable if "the knife supposedly wiped itself clean" on the control samples, they say. But Professor Hamilton said: "The fact that there are at least three human genotypes involved suggests it cannot have been a simple contamination." The third author, Dr George Williams, the Manchester University pathologist who conducted the post-mortem on Mr Carr has repeatedly denied this. "I'm utterly, absolutely confident of the authenticity of that material," he told *The Inde-*



David Carr: Not Aids victim

Open road beckons for bigger lorries

Michael Streeter

Environmentalists yesterday attacked as "simplistic" government plans which could herald the use of heavier lorries on Britain's road network.

If made law, they would allow hauliers to drive lorries as heavy as 44 tonnes - six tonnes more than the present limit - before the turn of the century.

A Department of Transport consultation document proposes allowing lorries of up to 40 tonnes for general use in line with European law and 44 tonnes for so-called "piggy-back" joint road/rail operations.

At present, these heaviest lorries are only allowed for specific journeys involving containers to and from rail routes.

Most controversially, the proposals seek comments on the idea of allowing 44-tonne lorries for general use by January 1999, or alternatively 2001.

The Roads minister, John Watts, indicated his support yesterday by claiming that the use of the higher-weight lorries on six axles was more "road friendly" than using 40-tonne vehicles on just five axles. "They would also be no noisier and have the same stopping distance as 38-tonne vehicles."

The theory used by department officials and the road freight lobby is that heavier lorries, which can carry more goods, could reduce the total number of vehicles on the road by 6,500. Mr Watts also stressed that heavier lorries did not mean bigger lorries.

However, Lynn Sloman, assistant director of the lobby group Transport 2000 dismissed the Government's arguments as "arrogantly simplistic".

She said the net effect of allowing the larger tonnage would be to increase the overall use of roads to carry heavy freight as

firms found it more cost efficient than the rail network. "If the Government allows heavier lorries it will be giving a direct subsidy to road haulage, which will be used to add to lorry mileage by centralising distribution still further."

After the last increase in lorry weights to 38 tonnes in 1983, lorry mileage had gone up by 30 per cent and freight mileage risen by more than 40 per cent, she said.

Critics claim that apart from their environmental impact, lorries are proportionately eight times more likely to be involved in a fatal accident than cars.

The Freight Transport Association yesterday gave a mixed reaction to news of the consultation. A spokesman, Adam Wurf, said: "We are pleased that this issue is back on the agenda again."

The organisation believes that collectively, 44-tonne vehicles would save more than 300 million litres of fuel a year and would reduce congestion. They would also save the freight industry about £300m a year - a drop of nearly 8 per cent on the cost of operating the present heaviest vehicles.

However, Mr Wurf said they were dismayed that the plans were only at consultation level, with no clear sign of when they would be implemented, at a time when the industry needed to be able to plan for the future.

Mr Watts said yesterday it was "possible" that once the consultation was completed in the New Year, laws could come in before the general election. But critics fear that ministers are trying to avoid antagonising either the road or the environmental lobbies by making capital out of consulting now, but delaying any unpopular decision until after the poll.



Shelf life: Brian Lang, the chief executive of the British Library, at the St Pancras building yesterday

Photograph: Andrew Buurman

Poetry in motion heralds the new British Library

Marianne Macdonald
Arts Correspondent

The British Library took delivery of the first of 12 million books and journals for its new St Pancras building yesterday in what has been dubbed the biggest book move in history.

Fourteen years after construction work started at its new London headquarters, the first volume to be ceremonially placed on its 186 miles of shelving was *The Oxford Book of English Traditional Verse*. The collection to be moved totals almost 40 million patents, eight million stamps, two million maps and more than 1 million sound recordings.

It will take more than 275,000 people-hours - equivalent to more than three working lifetimes - and 5,600 van loads to move them. The saga of the construction of the new building reached Kafkaesque proportions recently when it emerged it had cost £511m, three times initial estimates, and would be completed nine years later than expected due to contractual disputes and faulty workmanship.

The Prince of Wales unkindly described the building as "a dim collection of sheds groping for some symbolic significance", while the Heritage Select Committee thought it more like "a Babylonian ziggurat seen through a fun-fair distorting mirror".

But yesterday the playwright Harold Pinter was kinder. He said it was "wonderful", and his wife, the historian Lady Antonia Fraser, applauded "a great national monument". The building opens fully in June 1999, 21 years after it was approved by the Callaghan government.

Outrage as police cleared over asylum-seeker's death

Jason Bennetto
Crime Correspondent

The police will not face disciplinary action over the death of a Nigerian asylum-seeker declared by an inquest jury to have been unlawfully killed during a struggle with two police officers, it was announced yesterday.

Shiji Lapite, 34, died of asphyxiation after being held in a

neck-hold by plain-clothes police officers in north London in December 1994.

The decision by the Police Complaints Authority was condemned by Mr Lapite's family and campaigners who are to seek a judicial review into the decision earlier this year by the Crown Prosecution Service not to prosecute the officers. There was also criticism of the

complaints procedure for allowing police officers to investigate themselves.

An inquest in January ruled that Mr Lapite was killed unlawfully after one constable admitted kicking him in the head. Mr Lapite was arrested on suspicion of possession of crack cocaine. The jury heard that one pathologist had counted 45 separate injuries on the body of the

deceased, compared with "superficial" injuries sustained by the officers.

Mr Lapite later collapsed in a police van and was driven straight to hospital, where he was pronounced dead half-an-hour after being arrested.

A post-mortem examination revealed that Mr Lapite had been drinking and had also taken cocaine, which may have

anaesthetised him and caused him to struggle more aggressively.

The PCA, which oversaw the inquiry, said no disciplinary action would be taken against the officers involved, although Molly Meacher, of the PCA, urged the Metropolitan Police to ensure that officers understood the risks of restraining neck-holds. The PCA has repeatedly

stressed the danger of using neck-holds, which have been responsible for a number of deaths. Scotland Yard has now agreed to carry out extra training.

Ms Meacher said the PCA had based its decision on advice from an independent barrister and testimony of two witnesses who said they saw no officer using "unreasonable force".

Mr Lapite's widow, Olamide, said: "I have lost my husband and my children have lost their father but the authorities have failed to bring to justice those responsible for the death."

Piara Power, of the Newham Monitoring Project, a pressure group, said: "How can the unanimous verdict of a jury and widespread public concern over the whole issue of deaths in custody be so contemptibly brushed aside in this way? This episode serves to bring the entire criminal justice system into disrepute."

Deborah Coles, co-director of Inquest, the support and advice group, said: "It makes a mockery of any idea that the PCA has any other function than protecting police officers from being brought to account."

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Labour eases hostility to GP fundholding

Colin Brown
Chief Political Correspondent

A softening of Labour policy over fundholding by family doctors will be signalled today by Chris Smith, the party's health spokesman.

Toning down past hostility by Labour, which had threatened to "abolish" fundholding GPs, Mr Smith will emphasise the need for consent in plans to re-

place GP fundholding with joint commissioning by groups of family doctors.

Labour's aim, however, would remain to bring GP fundholders within the planning remit of the National Health Service. It would seek to end the system under which the internal market has allowed queue-jumping by fundholders, who purchase hospital care for their NHS patients.

Mr Smith faced a barrage yesterday from Stephen Dorrell, the Secretary of State for Health, over Labour's refusal to match the Government's promise to spend more in real terms on the NHS every year.

But Mr Dorrell's confidence that he can beat Labour on its home ground on health took a jolt from the British Medical Association, which has circulated a briefing note to peers for the

second reading today of the Primary Care Bill, warning that it could lead to hospital closures.

The briefing note, which *The Independent* has seen, warns peers that the plans could involve a switch in resources from hospitals to fund an expansion of primary care.

The Bill gives the Secretary of State powers to establish pilot schemes across the country from April 1998 for family doc-

tors to expand the range of services they offer, including minor surgery normally only on offer in large hospitals. The BMA warns peers in the briefing note that unless more money is pumped into the NHS, the pilots will not work.

Tessa Jowell, Labour's health spokeswoman, also disclosed that in spite of the Government's claims to be spending more on the NHS, there were shortages

of GPs across the country. Figures given to her by the Government show that there are nearly 1,000 unfilled GP vacancies in practices across England and Wales, with some of the largest gaps in inner-city areas such as east London. The Government is seeking to counter the shortages by allowing hospitals to hire GPs for the first time.

Labour believes it can convince the voters about its com-

mitment to the health service without competing with the Tories on spending. But Mr Smith and other Labour front-benchers were repeatedly taunted by Mr Dorrell during a Commons debate on the Budget to intervene at the despatch box to commit Labour to spending more on the NHS in real terms.

"If one of them - any of them - can give a commitment that a Labour government if elect-

ed would give a real-terms increase to health expenditure, they can intervene," he said. "They cannot because they won't give that pledge."

The Government has announced that it is spending an extra £1.6bn - an increase of 2.9 per cent - on the NHS next year. Mr Dorrell last week also announced that hospitals will be given an extra £30m this year to avoid a winter crisis.



Street performance: A police officer in Downing Street yesterday watching the annual ritual of a tree being delivered to No 10 by the British Christmas Tree Growers' Association

Photograph: John Voos

The man who sheds daylight on poll date

Fran Abrams
Political Correspondent

For some time now, Brian Pearson has been wishing he had a bet on the date of the general election. Eighteen months ago the administrator of the Association of Electoral Administrators took a phone call from a House of Commons official who wanted to know the date of the 1997 local elections. Ever since he has been convinced that it would be on that day, 1 May.

The received wisdom was behind him, and it ran as follows: Point one: an election before 27 February would be undesirable because the new electoral register comes into force on the 16th. Returning officers need a week to get it up and running, and would object to an election on the 20th unless it were strictly necessary.

Point two: the clocks go forward on 30 March, giving an extra hour of daylight. Before that, voters would be subjected to a dark night and probably bad weather to boot. That would mean a low turn-out.

Point three: an election in the first three weeks of April would be a bad idea because the campaign would span the Easter break at the end of March. There are 17 days between the dissolution of Parliament and the election, not counting Saturdays, Sundays and bank holidays, so an early-April election would mean an extra two days' preparation time for Labour. The last election that spanned Easter was in 1979.

Point four: local elections take place on 1 May, so a general election in the last week of April would simply double the agony for voters, leading again to low turn-outs.

Point five: elections always happen on Thursdays. This is the case because it has been the case for 60 years. Maundy Thursday however is one of the few days apart from weekends and bank holidays on which polling is not allowed.

So, 1 May is the first sensible date on which to hold an election. Or is it?

There are three good reasons why Mr Major may differ. First, he might be forced into an early election. The

Government is certain to lose its majority in 10 days after the Barnsley East by-election, and it could have a minority of one after the Wirral South by-election which must take place by February.

Reasons two and three are based on more cynical calculations. A polling day before the clocks go forward might encourage voters to go home and put their feet up rather than dragging themselves out after work. That would help the Conservatives, whose supporters are known to be far more determined to vote than Labour's.

The final reason is that a quarter of the 44 million electors will have moved house or become 18 since the old register was drawn up, and could miss out on their votes if polling day happened before the new version came in. Again, an early election would mean a low turn-out and good news for the Tories.

No one wants a Christmas election, of course, so calm is likely to reign for a few weeks yet. But come the New Year a new slogan could be circulating in Smith Square: Vote Early, Vote Tory.

Labour's lottery cash plans attacked

Colin Brown
Chief Political Correspondent

Richard Branson and his Virgin company are unlikely to win control of the National Lottery if Labour wins the election, following the publication yesterday of Labour's plans for the lottery.

The millionaire businessman is keen to win the right to take over the running of the lottery with a non-profit-making consortium from the current organiser, Camelot, which has been criticised for making excessive profits.

Labour yesterday made it clear that the party remains committed to allowing a non-profit-making organisation to take over the running of the lottery, if it can be financed more cheaply.

But senior Labour sources told *The Independent* that another organisation, such as Virgin, could only take over the contract from Camelot, if its costs were lower.

Camelot won the contract partly because its costs were lower than competitors, including the Virgin consortium, but Camelot's £1m a week profits could be squeezed by Labour applying a cap to its income from the lottery.

Camelot would also have to hand the £6m a year interest on



Bob Monkhouse, host of National Lottery Live. Labour will use cash for social schemes

unclaimed prizes to the good causes funded by the lottery, Labour said.

However, Labour is planning few dramatic changes to the National Lottery, if the party wins power.

The party has ruled out suggestions that a cap should be put on the top prizes, such as the £9m jackpot, which was shared by three winners at the weekend.

Labour was attacked by Virginia Bottomley, the National Heritage Secretary, after proposing to use lottery funds to pay for after-school clubs

which would tackle the problem of "latch-key kids".

Labour spokesman for National Heritage, Jack Cunningham, announced plans for a New Millennium Commission which would channel millions of pounds of lottery cash into projects for children and young people.

A top priority would be a network of after-school clubs - which Labour believes would be of particular help to single mothers - giving children the chance to do their homework, learn a foreign language or acquire computer skills.

There were also proposals to give local people much more say over the distribution of lottery

cash. Small sums of money would be put into "community chests" which would be put under the control of panels made up from local business people, councillors and voluntary groups.

However, Mrs Bottomley accused Labour of planning to fund front-line education programmes with lottery money, breaking one of the main principles of the lottery, that lottery cash should not be used to fund basic government schemes.

She dismissed the plans as "a cocktail of political correctness" at the expense of those punters who enjoy an occasional flutter, and described Labour's community chest scheme as a ploy to let Labour councils get its "sticky fingers" on the lottery billions.

Lords rejects fees for checks on volunteers

Fran Abrams
Political Correspondent

The Government was defeated by two votes in the Lords last night over a plan to make charities pay to find out whether volunteers had criminal convictions.

Under the Bill, volunteers would have to get certificates

showing they had clean records before they could work in certain areas, particularly with children. The Government says the documents would cost between £5 and £10 each.

The defeat, on an amendment proposed by the former House of Commons Speaker, Lord Weatherill, was the first in Parliament this session. Last

night a spokesman for the Home Secretary, Michael Howard, said ministers would consider its implications before deciding whether to try to reverse it in the Commons.

Baroness Blatch, Home Office minister, had argued that the Treasury or those seeking paid jobs could have to pay between £40m and £200m to fund

the certificates if charities did not do so. Waiving fees for unpaid volunteers would be open to abuse, she said.

The Bill, which has cross-party support, enables a new Criminal Records Agency to supply information to individuals and registered bodies. It also sets up a National Crime Squad for England and Wales, puts the Na-

tional Criminal Intelligence Service on a UK-wide statutory footing and puts intrusive surveillance by police and Customs on a statutory basis.

Lord Weatherill said the Bill could have a devastating effect on an estimated 20 million voluntary workers, many of whom worked for small local charities, playgroups and church groups.

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24.9% APR on Personal Loans from £500,000 to £1,000,000

26.9% APR on Personal Loans from £1,000,000 to £2,500,000

28.9% APR on Personal Loans from £2,500,000 to £5,000,000

30.9% APR on Personal Loans from £5,000,000 to £10,000,000

32.9% APR on Personal Loans from £10,000,000 to £25,000,000

34.9% APR on Personal Loans from £25,000,000 to £50,000,000

36.9% APR on Personal Loans from £50,000,000 to £100,000,000

38.9% APR on Personal Loans from £100,000,000 to £250,000,000

40.9% APR on Personal Loans from £250,000,000 to £500,000,000

42.9% APR on Personal Loans from £500,000,000 to £1,000,000,000

44.9% APR on Personal Loans from £1,000,000,000 to £2,500,000,000

46.9% APR on Personal Loans from £2,500,000,000 to £5,000,000,000

48.9% APR on Personal Loans from £5,000,000,000 to £10,000,000,000

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100.9% APR on Personal Loans from £2,500,000,000,000,000,000 to £5,000,000,000,000,000,000

102.9% APR on Personal Loans from £5,000,000,000,000,000,000 to £10,000,000,000,000,000,000

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108.9% APR on Personal Loans from £50,000,000,000,000,000,000 to £100,000,000,000,000,000,000

110.9% APR on Personal Loans from £100,000,000,000,000,000,000 to £250,000,000,000,000,000,000

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Cash lottery over fertility treatment

Glenda Cooper

National Health Service funding of fertility treatment is "chaotic, patchy" and amounts to "treatment by postcode" according to new research.

Despite an increase in the number of health authorities offering treatment on the NHS, a couple in Scotland wanting *in vitro* fertilisation (IVF) are seven times more likely to be successful than a couple in the South and West region, while partners in Northern Ireland have no access at all to NHS funds.

One in six couples experience difficulty in conceiving at some point in their lives, with the largest number of fertility problems unexplained. For those who choose IVF the live birth success rate is 14.1 per cent per cycle.

The report, commissioned by the National Infertility Awareness Campaign (Niac), found that the number of health authorities that formally purchase infertility services has increased from 21 per cent in 1993 to its current level of 65 per cent, an increase Niac thinks is partly due to the reorganisation of health authorities last April.

But the divide between those authorities funding increasing

levels of fertility treatment and those that fund little or no treatment has increased. While the proportion of health authorities funding more than 20 cycles of IVF per 100,000 population has almost doubled, the proportion of those refusing to fund any form of assisted conception has not changed.

The majority of authorities reported no change in funding since last year although one in five reported an increase. Despite an increase of 15 per cent in IVF rates to 9.3 treatment cycles per 100,000 population in

1996, as opposed to 8.1 treatment cycles per 100,000 in 1995, the rates of IVF treatment are still well below the recommendations stated in a 1992 report of 40 IVF treatments.

The most generous region listed in the latest report was Scotland, with 29.3 IVF treatments per 100,000, followed by the North West which funds 15.9. Only four regions funded more than 10 cycles per 100,000 population. The lowest rates were found in the West Midlands (5.2), South and West (4.2) and in Northern Ireland (0).

Eligibility criteria have become more uniform among health authorities, with the majority specifying a maximum age for the woman of between 35 and 40. Some authorities still only fund treatment for people who have lived within the authority's area for a specified period.

Clare Brown, chair of Niac, said: "The great divide between the health authorities is worrying. Although we are pleased that some health authorities are increasing the amount they already spend in infertility services, we are extremely saddened that there are many health authorities who refuse to fund treatment."

"We are still having to deal with a chaotic, patchy 'treatment by postcode' method of deciding who can and who cannot have their infertility treated by the NHS."

"This is obviously totally unfair, unacceptable and a desperately unhappy situation for the couples this affects."

Susan Rice, chief executive of the national fertility association, Issue, described the situation as "abhorrent". She said: "Issue calls on health providers to stop this 'trade in babies' and consider the detrimental effect infertility has on all areas of people's lives."



Test tubes containing frozen embryos Photograph: Reuters

Insurance firms to fight pupils' claims against failing schools

Judith Judd
Education Editor

Insurance companies which represent education authorities say they will fight claims for damages against failing schools through the courts.

Zurich Municipal, which insures most councils, said it had no intention of settling out of court as happened recently in the case of a man awarded £30,000 for bullying at school. Insurers believe they could win cases against pupils suing schools for bad exam results.

Two teenagers are preparing cases against schools failed by the Office for Standards in Education. They say the schools

are to blame for their poor GCSE results.

Royal Sun Alliance, the insurance company involved in the bullying case at Shene School in Richmond, wanted an out-of-court settlement because it said it would not recover its costs even if the school won the case. The plaintiff was financing the case through legal aid.

A spokesman for Zurich Municipal said: "We think this case is defensible and would definitely defend it."

"We don't think giving in to a claim such as this, which has a very weak foundation in law, would be cheaper. If we did not fight and win a case, we should certainly open the floodgates."

Lawyers agreed it would be very difficult for pupils to win. Julian Gizzi, head of the education law department of City solicitors Beachcroft Stanleys said legal aid should not be granted in such cases, at least where they were unlikely to succeed.

"Such cases look set to continue and grow in number, diverting more and more resources away from education and towards lawyers' fees. For the school to defend this action all the way to trial could easily cost as much as two or three times a teacher's salary."

Labour urged the Government to close any legal loophole which might encourage pupils

to make claims against failing schools.

David Blunkett, the shadow Secretary of State for Education and Employment, told BBC Radio 4's *World at One*: "I can't see how... we can go into a situation where there is a threat hanging over legitimate inspection, where revealing that something is wrong is used in terms of legal action and where money is then withdrawn from a school that needs it."

The Legal Aid Board said the pupils involved in the case had not applied for legal aid. In all cases, the board considered the legal merits of the claim to see whether there were reasonable prospects of success.

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In his gift: Sir Denis Mahon with Barblen's The Cumaean Sybil with a Purto

Photograph: John Voos

Millionaire's gift horse puts politics into museums world

David Lister
Arts News Editor

A defiant political gesture by an 86-year-old millionaire art collector could change for ever the way works of art are left to the nation.

The £25m bequest by Sir Denis Mahon of 61 17th century Italian baroque pictures to institutions including the National Gallery and the Ashmolean and Fitzwilliam museums, in Oxford and Cambridge, will be withdrawn, before his death, he states, if the Government falls short in its commitment to public collections generally.

It will be removed from galleries after his death if any gallery involved sells off any of its works of art.

Until now private collectors have left pictures in their wills to their favourite galleries with no motives other than enriching the national heritage and possibly helping their descendants by declaring the paintings against inheritance tax.

Sir Denis, long a campaigner for the arts, and a bachelor, has also intimated, though it is not in the legal agreement he has with the National Art Col-

lections Fund, that he would not want any of his pictures in a gallery or museum that charges the public for admission.

The latter has never been higher on the agenda than now following cuts announced last week in government grant to museums and galleries.

Sir Denis, independently wealthy as a member of the Guinness Mahon banking family, is well placed to hold governments to ransom. If a government reduces funding too much he will, as it were, from the grave reduce the number of paintings he has bequeathed to the nation. For that purpose he has again gone against convention and ensured that legal control of the bequest stays with the National Art Collections Fund, the leading independent art charity, rather than the museums and galleries involved.

As Sir Denis threatened at a press conference at the National Gallery yesterday with a phrase that will resound through the art world and the Department of National Heritage for years to come: "In the last analysis a cut on one side could be matched by a cut on the other."

The new era of the politically

charged bequest was welcomed by Mark Fisher, Labour's arts spokesman. "I'm very sympathetic," he said. "The spirit of all the major historic bequests has been of benefiting the public. Sir Denis is continuing that tradition. He wants to leave his collection to the public and to ensure that museums remain truly public."

The National Gallery's director, Neil MacGregor, added: "What is interesting is that here is a man with a very clear view of how museums should relate to the public, and I applaud it."

Others were uneasy. Tim Mason, director of the Museums and Galleries Commission, said "Bequests have often come with conditions, but they are straightforward conditions concerning things like security, the environment in which paintings are displayed and access. Such things are easily measured. The difficulty here is interpretation. How does one measure whether the Government is falling short of its commitments?"

Other senior museum figures said that a less important collection would be unlikely to be accepted on such terms.

The Government will also be

watching to see whether Sir Denis really is holding a gun to his head or whether he is bluffing. The first signs are that Sir Denis's conditions may be as much political gesture as legal threat.

Yesterday he admitted that in last week's Budget the Government had indeed, through its cut to museums and galleries, fallen short on its commitments. But he said that although the Government had failed on this key condition, he would not be withdrawing his bequest yet.

"I shall just wait to see what Mrs Bottomley [Secretary of State for National Heritage] says for herself," he said. We will have to see whether the Government behaves in a civilised manner or not. I think they should have a chance to see what there is to lose."

The Irish National Gallery has been promised five of the paintings in the bequest.

Raymond Keaveney, director of the Irish National Gallery, confirmed that more of the Mahon bequest may cross the Irish Sea if admission charges are levied at a British gallery to benefit. No Dublin public gallery or museum charges for entry.

Women lose their seat on the board

Barrie Clement
Labour Editor

The proportion of female directors in companies which are members of the anti-discrimination campaign Opportunity 2000 has slumped by nearly one-third, it was disclosed yesterday.

A year ago, women accounted for 16 per cent of board members at the 300 organisations which belong to the campaign designed to increase the number of females in managerial posts. Yesterday, the organisation conceded that the latest figure was

11 per cent. Celebrating the fifth anniversary of Opportunity 2000, Lady Elspeth Howe, its chairman, conceded that the total number of women in such positions was so low that even one departure could make a significant impact on the percentage.

Peter Davis, group chief executive of the Prudential Corporation, a prominent member of the group, said that while the figures seemed to show a decline it was "counter-intuitive" as far as his personal experience was concerned and that of others involved in the initiative.

While Lady Howe reported no major progress in the number of women in senior positions over the last 12 months, they had "held on" to previous gains. Some 31 per cent of all managers at Opportunity 2000 employers were women, 17 per cent of senior managers, 31 per cent of middle managers and 41 per cent of junior managers. This compared with 12.5 per cent of managers in the United Kingdom as a whole, the Institute of Management said. The percentage of female directors in Opportunity 2000

firms was 11 per cent compared with 3.3 per cent elsewhere.

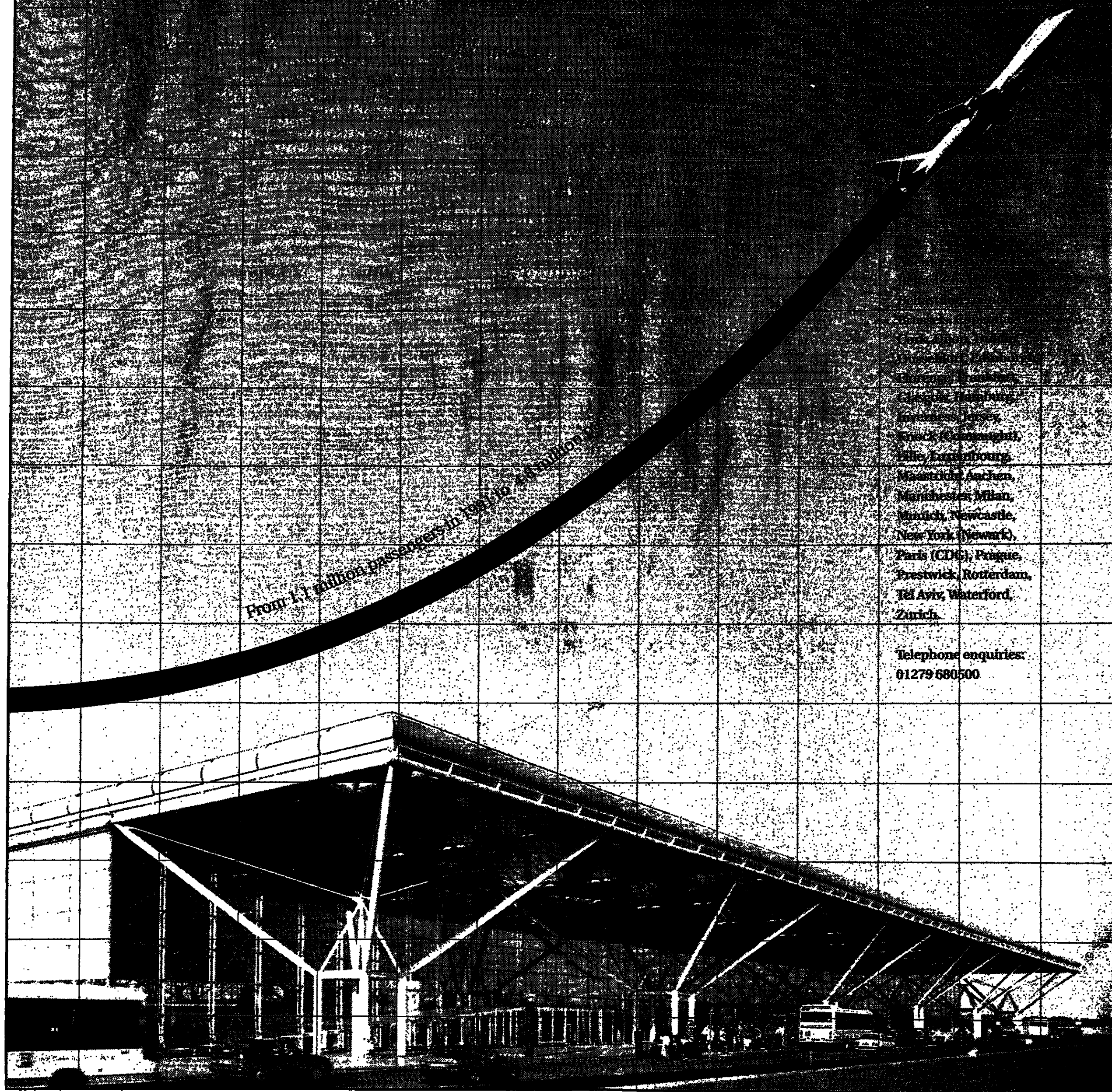
Around 80 per cent of Britain's leading employers, with about one-quarter of the working population, are members of Opportunity 2000, officials said. They said there were notable absences, including BTR, Hanson Group, BAT, GEC, Pearson and Mirror Group Newspapers. Some employers had left because of restructuring. A number of local authorities left because of public expenditure cuts.

Women and Work, a page pull-out in *The Daily*

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Aspects of union: Michael Forsyth, Duke of York and stone Photograph: PA

Scots romantic who would reinvent the power of the Union



Hidden hopes: George Robertson will not reveal his ambitions Photograph: David Rose

James Gaisick
Michael Forsyth, Secretary of State for Scotland, is said to be overjoyed that his gesture of bringing home the Stone of Scone has somehow reminded the Scots of the historical importance of the Union. His opposite number, George Robertson, in the run-up to the general election, appears to want to concentrate his mind on matters more concrete. After being humiliated in Labour's summer of U-turns on devolution for Scotland, Mr Robertson had the unenviable and difficult job of convincing the Scottish party, the media and the electorate that Tony Blair's apparent "I-know-best" explanation for the enforced changes would somehow be for the better. Coping with more turns than an ice skater, Labour has now committed itself to a referendum on devolution should it form the next government. The Scots will be

the party plan by stating simply: "It's mature. The Scots have basic common sense and will understand the difference between a power and a tax." "Mature" is a rarely used adjective in politics. The attack Mr Robertson suffered at this year's Scottish National Party conference, where he was accused of being Scotland's answer to the wartime traitor Lord Haw-Haw by Alex Neil, one of the SNP's senior spokesmen, is a recent example of the immaturity of much Scottish political debate. The slur annoyed Mr Robertson, but he skillfully used it to his advantage: "If it had been a comment from someone in the lower ranks of the SNP it would have been quietly dismissed. But all it showed was that despite the SNP's claims to be an organised, controlled and effective party, this is the level they can reduce themselves to."

Elected MP for Hamilton in 1979, Mr Robertson was quickly identified as a potential senior figure in any future Labour government's foreign affairs team. One of the party's star performers in the drawn-out Maastricht debate, it may seem to the outsider that being reduced to spats with the likes of Mr Neil is an unwelcome downturn in a political career. And, unusually in politics, he admits he may now even be campaigning for a policy that will see his power reduced. A Scottish parliament would elect its own chief minister, thus reducing the governor-general powers currently enjoyed by the Secretary of State in St Andrew's House in Edinburgh. So will it be a diminished job? "No, it will be a different job. It will be a channel of communication between the devolved parliament and Westminster."

He doesn't accept that he really wants both jobs. "I can't envisage the same person doing both." So where then do his ambitions lie? The reply, if not quite Francis Urruhart is almost there. "In politics you are unwise to declare your ambitions." His office is currently receiving numerous invitations from English universities asking him to go and explain what devolution will mean. The joke among some Old Labour hard-liners is that they would first like him to explain it to them. He may have had little room for manoeuvre in the chaos generated by Mr Blair's ordered changes on how devolution was to be implemented. Mr Robertson lost something, mostly his image of being honest.

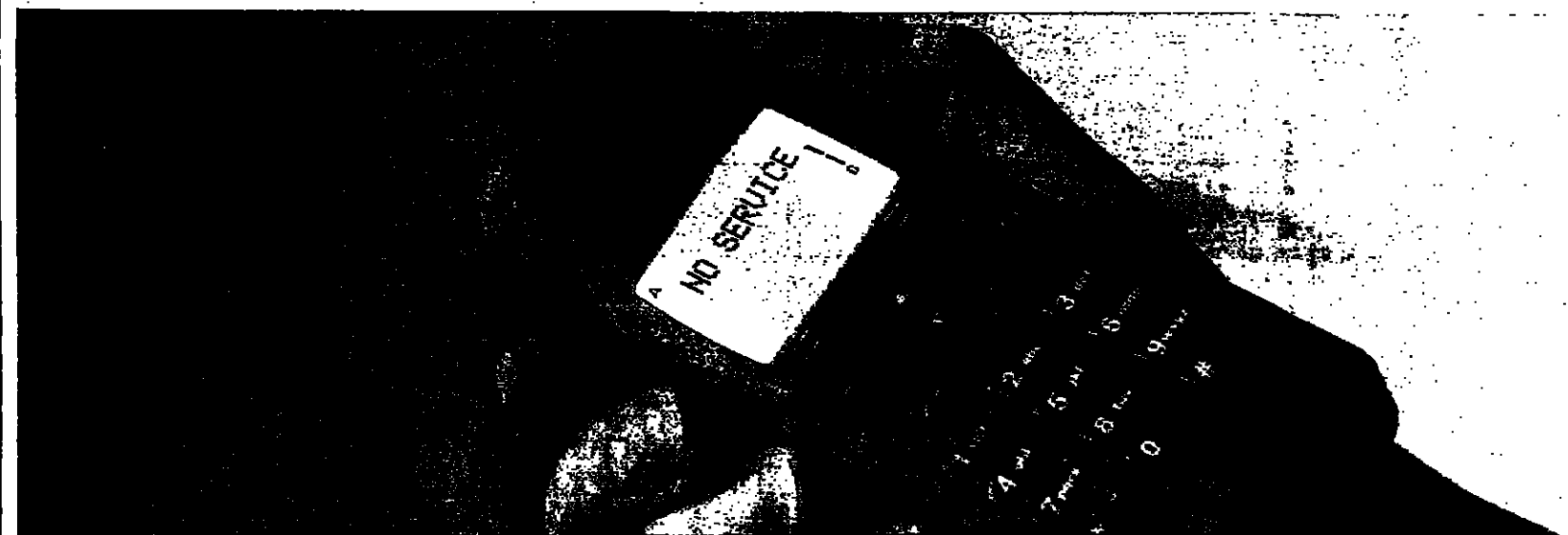
Some inside the Labour party in Scotland believe he is unlikely to recover fully. Others believe he will. But the end result is that like the evangelist that sometimes appears to overtake Mr Blair, an almost excessive fervour also grips Mr Robertson, who is 50, when he speaks of reinventing the Union, attracting a new generation to politics, and talks of


His image suffered after Blair's changes. Some believe he can never fully recover

asked both if they want a devolved parliament and if that parliament should have tax-raising powers. If Mr Forsyth now imagines himself as Sir Walter Scott reincarnated and is intent on continually reinforcing the symbolic power of 300 years of union with England as the foundation of his election campaign. Mr Robertson is equally a touch romantic when he speaks of, perhaps predictably, "new Scotland, new Union". Unlike many in his party, he says he now sees the referendum as "not an obstacle, but an opportunity". With Labour seemingly committed to fighting hard for a yes vote, and anticipating a well-funded brutal campaign from the Conservatives for no, Mr Robertson curiously believes there is no hidden danger in the message he now says will be explained to the electorate in Labour's own campaign: it wants the power to tax but in effect will promise not to use it. "The Scots will vote for it to be there, but the parliament itself will rarely use it," Mr Robertson says. He explains: "It's a power, not a tax. It's there if the people want it to be there. Anticipating that such a campaigning tactic might be either open to accusations of unfairness (if you are being kind) or logical naivete (if you are being cruel), Mr Robertson defends

the Tories using Scotland as "the battleground for England ... to frighten them into believing that devolution will mean the break-up of the United Kingdom". But just as Mr Robertson wants reinvention of the Union, redefining of the Scots' identity, rewriting of the rules of political responsibility for the Scots ("So we can stop blaming everyone else"), so Mr Forsyth has joined the debate on reinvention by simply proclaiming everything is fine the way it historically always has been. Is that not a clever tactic? "No, it's dim," said Mr Robertson. "Because people don't like the way Scotland is run now."

PITY HE DIDN'T SPEND AS MUCH TIME CHOOSING THE NETWORK AS HE DID CHOOSING THE PHONE.



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DAILY POEM

Anselmo's Revolutionary Pamphlets

By Cliff Ashcroft

The austere printer Anselmo Lorenzo carried the message from village to village and awakened me with a clear word. A word that pressed upon my open hands and fired a pure and supple flame.

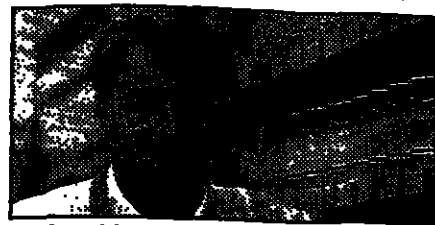
I too dreamed of the el reparto, the re-distributed land, our fields returned like the warm acre of our village beds. And the landowner and priest fell from my memory like winter's evil cold.

Anselmo Lorenzo I think of you leading us from the certainty of punishment into the doubt of our free limbs. What was to become of us now we could do exactly as we wished?

I looked for your word in my frozen hands, but there will be no simple rest. All you have brought is empty dispute and the cinders I press to my closed palms like letters of broken type.

Cliff Ashcroft was born in 1963 and read English at Sheffield University. Carcanet publishes his first collection, *Faithful*, this month. His poems are simply constructed, often elegiac, and wide-ranging in place and history. The poet Penelope Shuttle has noted a "characteristic tone of reserved epiphanies, a stillness within process".

B&Q Environmental Update



Dr Alan Knight - B&Q's Quality & Environment Controller
Over six years ago, we put into place a planned programme to reduce the environmental impact of every product we sell.

This is our fourth annual update covering all the main areas of environmental activity during the past year and describing our plans for the future.

Timber & Forests

In 1991 we set two targets:
By the end of 1993: to have identified all the sources of our timber products down to forest level - achieved for over 98% (by volume).

By the end of 1995: all our timber products to come from well managed forests - only 1.5% of timber by volume failed.

Collecting and evaluating the data has been an intensive exercise involving one person working full time for over four years.

Independent Forest Certification - the best way forward

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Until now evaluation of timber sources was dependent on 'internal scrutiny' - desk top studies and occasional visits to forests. The weaknesses are obvious, but it was all we had. But not anymore: we, like many other organisations, realised



back in 1990 that a more robust and credible system was needed. Forests must be independently certified. By working together B&Q and many other companies and environmental groups created The Forest Stewardship Council (FSC).

The Forest Stewardship Council (FSC)



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The role of the FSC is to set the principles of good forest management and ensure that certification across the world operates to the same standard. We believe it currently represents the only credible system capable of operating globally.

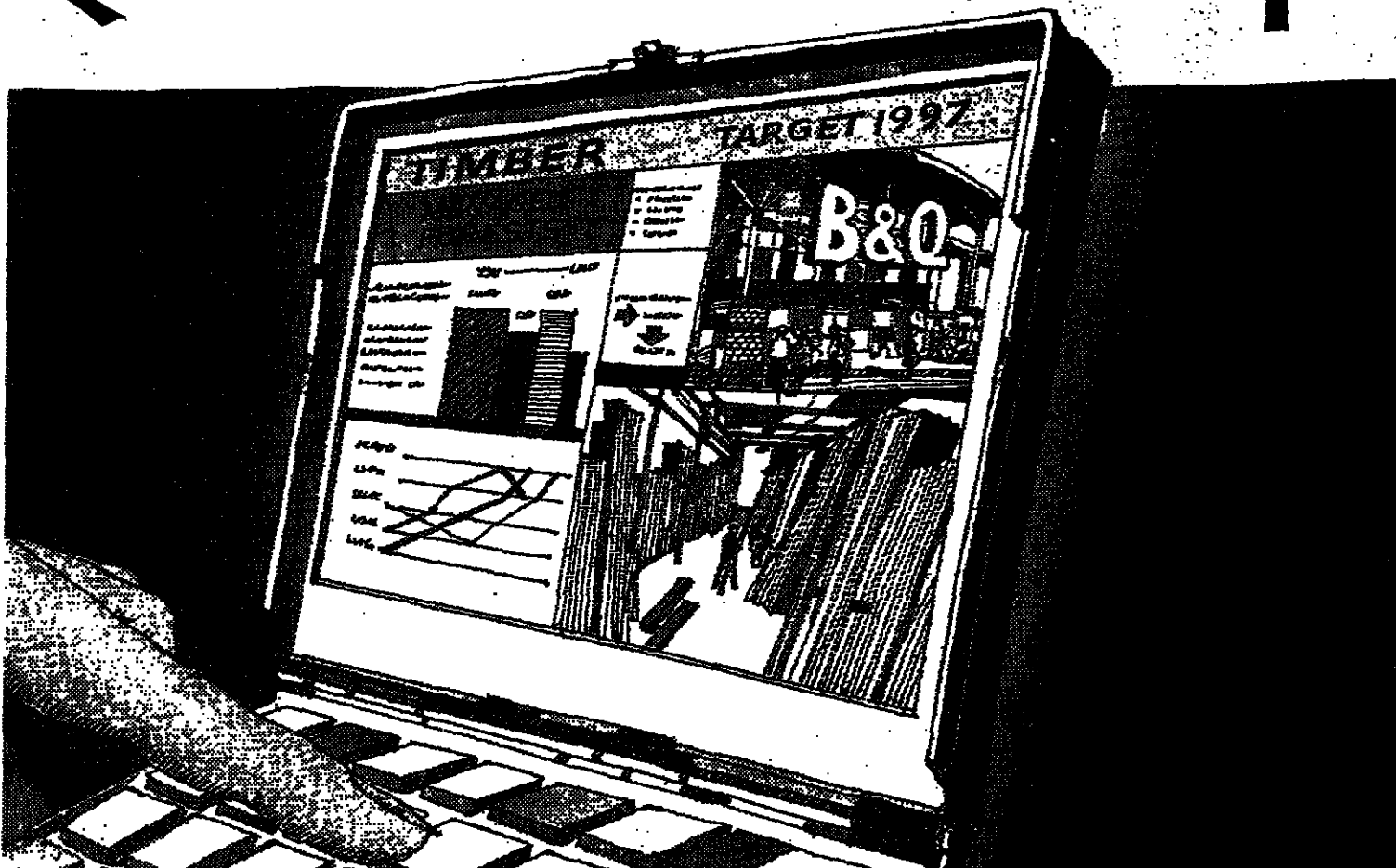
Customers are just beginning to see the FSC trademark on timber products in our stores and as these become more widely available we hope marketing campaigns from other retailers (including competitors) and the World Wide Fund for Nature (WWF) will help customers recognise and buy these products in favour of non-certified products.

Products available at B&Q which have already been independently certified:

PRODUCT	SUPPLIER	COUNTRY
Exterior Doors	Chindwell	Malaysia
Charcoal	Charan Aldred, Rectella	South Africa
Interior Doors	Premium Timber	Poland
Edge Laminated Pine Boards	Premium Timber	Poland
Cabinet Doors	Premium Timber	Poland
Wooden Door Furniture	Douglas Kane	Poland
Parquet Flooring	Western Cork	Zimbabwe

Certification initiatives are also underway in other countries such as Ivory Coast, Ghana, Sri Lanka, UK and Sweden.

Some producers have genuine forest management problems and real practical problems to overcome. Others are simply reluctant to support the concept of certification. We shall continue to explain to them why we believe it is important but if they are not convinced we will have to buy from elsewhere.



Target - By the end of 1999 the only wood we buy will be from independently certified forests.

Paint

One in three pots of paint sold in the UK for domestic use is bought from a B&Q store. We believe that between 0.6% and 2% of all solvent emissions in the UK could be from paint bought at B&Q.

The figure is large enough for B&Q alone to make an impact on the overall reduction of solvents. Solvents contribute to low level smog, climate change and can aggravate asthma. They also have an unpleasant smell. The future can be solvent free and where technically impossible, low solvent paints are the answer.

The first stage is already underway. We are working with our suppliers to ensure there is a clear and precise message on every single can of paint we sell. At the moment, this is not the case.

From a total of 123 products there was the following confusing array of labels:

Claim Type	Claim	No of products
ODOUR	Low odour	66
	Low in odour	3
	Lower odour	5
	Lower odour formula	5
	Less odour than conventional gloss paints	2
	Much less odour than ordinary	2
	Low aromatic solvents reduces odour	2
	No unpleasant odour	1
	TOTAL	87
WATER-BASED	Waterbased	40
	Economical waterborne	1
	Waterborne copolymer emulsion	1
	Waterbased acrylic	1
	TOTAL	42
LOW SOLVENT	Solvent free	6
	Free from solvents	4
	Solvent free waterbased formula	2
	Low solvent	5
	Low solvent formula	1
	Very little organic solvents	1
	Solvent based, the use of water based alternatives should be considered	1
	TOTAL	26
OZONE	Ozone friendly	6
	Contains no fluorocarbons	3
	Contains no CFCs	4
	TOTAL	13
LEAD	No lead added	10
	No added lead	1
	Contains no lead	7
	Contains no lead additives	1
	TOTAL	20
PLANTS & ANIMALS	Harmless to plants	5
	Harmless to animals	1
	Harmless to plants and animals	1
	Harmless to plants and pets	2
	Plant and animal safe	1
	Harmless to plants when dry	2
	Harmless to plants and pets when dry	1
	TOTAL	13
RECYCLING (packaging)	25% recycled steel	12
	Recyclable	13
	TOTAL	25
OTHER	Environmentally Friendly	1
	Lower environmental impact in manufacture	2
	Official Sponsor WWF	7
	TOTAL	10

When we finalise our policy at the end of the year we will start phasing out claims such as 'environmentally friendly'. We have also worked with suppliers to agree a standard format for displaying the solvent content of all products.

Proposed Target - End of 1999: to reduce solvent emissions from B&Q paint by 30% (using 1996 figures as baseline).

As part of this process we will start introducing new products with a lower solvent content.

Target - December 1996: to finalise details of policy.

Target - End of June 1997: to have new labelling system in place.

Target - July 1997: to launch customer communication programme.

Charcoal

All our imported lumpwood charcoal is currently certified and next year all our new stock of briquettes and barbecue kits will be certified.

Charcoal production can help our forests in the UK. By working with the Bio

Regional Development Group, it has been possible to sell charcoal from coppiced woodlands in the nearest B&Q stores.

Last season local charcoal was on sale in 120 stores.

Target - by summer 1997: to buy locally produced charcoal for virtually all stores.

Target - by the end of 1997: to have 50% of UK sources of charcoal independently certified.

Working Conditions in Developing Countries

Working conditions in developing countries is a difficult and emotional issue. The most publicised example is the abuse of child or bonded labour. However, we believe the issue is more complex than just child labour. We have seen factories where as well as environment controls, health and safety can also be improved.

We have worked with suppliers to introduce basic health and safety measures in coir door mat, rug and brassware factories in India. We visit factories and if required request improvements. The scale and complexity of our supply base makes this a huge initiative.

By the end of 1996 we plan to finalise a method of audit and random follow up visits using local specialists for our entire Indian supply base. This will be used as a trial for similar initiatives across the world.

It will be several years before we are satisfied with the working conditions in our factories. However, we firmly believe working with our suppliers is the only way forward and is preferable to bans or boycotts which result in more hardship for the workers.

PVC

PVC has long been associated, rightly or wrongly, with dioxin contamination during PVC production and waste incineration. Also many PVC products contain phthalates. This chemical has been connected with the decline in fertility rates and the feminisation of some animal species. Some environmental campaigners are trying to persuade businesses to phase out PVC altogether. The industry has responded by focusing on the benefits of PVC and questioning the validity of the scientific theories. The issue facing B&Q is that both points of view have merit.

The science is ambiguous and there is as yet no consensus as to the true extent of the problem or to the solution. We will not take sides - but we want to do what is right for the environment.

We shall be financing a PhD student to work on this issue for three years to focus on reviewing the literature and relating it specifically to the B&Q product range. Chemical analyses will be undertaken as and when necessary. We will act on the research findings as soon as key facts are identified.

What of the other issues?

Supplier Assessment

There are so many issues for B&Q to resolve, we cannot resolve them all alone. We must get all our suppliers involved. Since 1991, it has been company policy for all our 600 suppliers to have an environmental policy, backed up by an action plan. By the middle of 1994, over 95% of our suppliers had a policy - an improvement of 85% since 1991.

Building on that progress in July 1995 B&Q launched a supplier assessment programme called QUEST which included both quality and environmental performance. QUEST, which stands for the Quality, Ethics, Safety & Treatment of products, measures suppliers on ten key quality or environmental principles.

The extensive amount of information which needs to be processed has caused bottlenecks, but despite this we know that QUEST is the correct approach. Any suppliers not meeting a certain grade will not have any new products listed until they have addressed the problem concerned. Continued inaction will result in a company being de-listed. Of our existing suppliers, 30% have been reassessed and the average grades for the five environmental principles are:-

QUEST 6

Average grade: 3.4
Environmental Policy and Awareness
Suppliers' understanding of the environmental issues associated with their products and their commitment to resolving them is graded by assessing the suppliers' published environmental policy.

QUEST 7

Average grade: 3.2
Environmental Action and Achievements
To ensure that a supplier's environmental achievement does not consist of only writing a good policy, suppliers' achievements are awarded a separate grade for action.

QUEST 8

Average grade: 2.5
International Supply Chains
B&Q believes that the issue of poor working conditions in factories in developing countries are a significant issue for retailers. Therefore suppliers' understanding and commitment to this issue is awarded a separate grade.

QUEST 9

Average grade: 3.9
Packaging and Environmental Claims
The suppliers' ability to meet all the possible future legal requirements to minimise the amount of packaging used and design for recycling is jointly assessed with the accuracy and benefits or problems caused by any environmental claims on a product.

QUEST 10

Average grade: 3.5
Timber
The suppliers' ability to meet B&Q's present and future requirements of its timber policy and targets.

This is based on valuing Grade A = 5, Grade B = 4, Grade C = 3, Grade D = 2, Grade E = 1 and 592 suppliers as of 18/1/96.

B&Q Store Performance - Waste Management & Local Agenda 21

We have the potential to make vast improvements in our own performance in terms of reducing our waste, recycling unused materials and working with the local community. This not only helps the environment but also saves us a small fortune!

Our Huddersfield store has formed a partnership with Kirklees Metropolitan Council addressing waste and energy management, staff awareness, customer communication plus community projects.

The store's waste minimisation initiative has involved donations of waste items to local schools and the staff together with Kirklees Metropolitan Council have cleaned up the stretch of the River Colne adjacent to the store.



The intention is to use this example as a case study to encourage other stores to become involved with their local authority's Local Agenda 21 programme. Agenda 21 is a global environmental action plan signed by the Government at the Earth Summit in 1992. All local councils are responsible for delivering improvements such as waste minimisation, energy efficiency and environmental enhancement.

QUEST for stores

In October we started to trial a new procedure for assessing the environmental performance of stores. This is based on QUEST for suppliers. There are 10 principles on which stores are graded.

1	Staff Awareness
2	Waste Legislation
3	Zero Waste
4	Litter Control
5	Customer Recycling Facilities
6	Energy Management
7	Customer Communication
8	Environmental and Community Interaction
9	Environmental Awareness of the Management Team
10	Enthusiasm of the Environmental Officer and Support from the Management Team

Forty stores are taking part in the pilot but it is intended to be available for all our stores by the middle of next year.

The more problems we solve, the more we find to solve

This is a summary of our actions. The complexity of the issues is immense and we know there is more we can do.

If you would like more detailed information, please fill in the coupon by ticking the relevant boxes and send it with a stamped addressed envelope (at least 21cm x 22cm) to: Dr. Alan Knight, B&Q plc, 1 Hampshire Corporate Park, Chandlers Ford, Eastleigh, Hants, SO53 3YX.

☐ **How Green Is My Front Door?**
(120 page environment review)
July 95, 75p SAE

☐ **Timber Update**
(poster)
February 96, 25p SAE

Information on B&Q's environmental programme can also be found on our site on the internet. The address is <http://www.diy.co.uk>

B&Q

Reporting on our impact on the environment.

صكتا من الامل

Chinese rule big Mac is a restaurant to take away

Teresa Poole
Peking

As dawn broke in Peking yesterday, there was no sign of Ronald McDonald on his prime-site bench two blocks from Tiananmen Square. Indeed, the bench had disappeared too.

But this was not simply another statistic in the city's crime wave. In a rare defeat for the world's biggest fast-food chain, the night of the Peking Municipal Government has

shut the world's biggest McDonald's. Ronald has moved out and the bulldozers will be moving in to make way for a massive Hong Kong-financed shopping and office development. Yesterday, the building was fenced off by striped plastic awning.

McDonald's was told two years ago that it would have to vacate its flagship premises on the corner of Peking's most famous shopping street, Wangfujing, and the city's main east-west artery, the Avenue of

Eternal Peace. This came as something of a surprise to the company, which opened the 750-seat outlet in 1992 believing that it had signed a 20-year land-use agreement for the site. The foreign business community was generally taken aback by the news, fearing for other such agreements.

With the demolition men approaching from all sides, negotiations opened between McDonald's and the Peking government. Then came an unexpected stay of execution when

work was halted on the proposed massive Oriental Plaza development because it was deemed to break height restrictions for central Peking. Oriental Plaza is backed by the Hong Kong tycoon Li Ka-shing and his company Cheung Kong.

When the Oriental Plaza finally renegotiated its plans earlier this year, Ronald McDonald's tenure began to look tenuous. Yesterday, Marvin Whaley, president of McDonald's China Development Company, said

in a statement that the company had agreed to move its restaurant "in a spirit of teamwork and partnership" with the Peking government. The general manager of McDonald's in Peking, Tim Lai, said: "Both sides are still happy, and I think the Peking government helps us a lot."

Details of the agreement, and any compensation payment, remain secret. According to Mr Lai, McDonald's expects in two years to have opened two new outlets on Wangfujing, but the

sites have not yet been finalised. Judging by the fast-paced expansion of the Big Mac in Peking over the past year, the company seems to have used leverage from the Wangfujing situation to secure the swift opening of other premises. The number of McDonald's restaurants in Peking has jumped from six when the removal notice was mooted in 1994, to 29 by the end of this year. There are more than 100 branches of McDonald's in China.

French drivers face the sack

Mary Dejevsky
Paris

France's trade unions yesterday hailed their victory in the 12-day-old lorry drivers' protest and urged other sectors to follow the hauliers' example in pursuing their demands. Lauding the mobile telephone and the fax machine - which enabled roadblocks to be placed to maximum effect - the unions' message was that strength lies in logistics and force prevails.

For some, the victory may have been Pyrrhic. Officials of one of the larger unions involved reported a spate of sackings of drivers on their first day back at work.

The government, meanwhile, was preserving a coolly diplomatic front. The transport minister, Bernard Pons, said everyone had come out of the dispute "with their dignity intact". The next stage should be completed today, when union negotiators meet government officials to decide a decree on hours.

The unions had an interest in declaring a "total victory" to end the protest cleanly, before the weather or fatigue did it for them.

The government also had an interest in allowing the unions to claim victory to ensure the roads reopened.

However, there is a real sanction. Employers may receive subsidies from the government, but they are not the state sector with bottomless pockets: some firms will shed jobs; others will go out of business.

The CFDT was sanguine about likely job losses yesterday, saying the haulage sector in France was "oversupplied", that "thousands of companies" went out of business every year, and that companies which observed agreed terms and conditions would be "happy" with the settlement because it would make for "fairer competition".

The unions have chosen to "forget" that their call for higher pay was reduced to acceptance of a one-off "bonus" of 3,000 francs (£355), and that any working hours decree is unlikely to go beyond the EU directive on a maximum 48-hour working week.

Protesters stand firm against Milosevic

Tony Barber
Europe Editor

Tens of thousands of Serbs defied government warnings and demonstrated against President Slobodan Milosevic yesterday as the authorities contemplated using force to end two weeks of street unrest. Braving freezing temperatures and heavy snow, a crowd led by students marched through Belgrade, some carrying flowers to symbolise their commitment to peaceful protest.

The ruling Socialist Party and Belgrade police turned up the pressure on the opposition on Sunday, warning that their patience was wearing thin and they would crack down hard on any violence or illegal behaviour. Students in the capital responded by sending an open letter to the police that said: "We don't want violence. Words are our only weapon."

Opposition activists suspect that Mr Milosevic is looking for an excuse to break up the daily demonstrations, which represent the most serious challenge to his rule since he took power as Serbia's Communist leader in 1987. Leaders of the Zajedno (together) coalition of opposition

parties say that government provocateurs were responsible for violent incidents last week, when youths smashed windows at the headquarters of the Milosevic-controlled state television and the newspaper *Politika*.

Mr Milosevic, who used tanks to suppress street protests in Belgrade in March 1991, has so far kept his security forces in reserve. Until last Sunday, he appeared to be calculating that his tight control of the media, state administration and security apparatus would eventually cause the demonstrations to fizzle out.

Yet the protests have begun to attract working-class support, a disturbing sign for the authorities. Zoran Djindjic, an opposition leader who has tried to organise trade union support for strikes to bring down Mr Milosevic, said: "We shall bring the political crisis to boiling point."

A violent crackdown on the opposition would destroy the progress Mr Milosevic had made since 1993 in changing his image abroad from that of a bellicose nationalist to supporter of peace in Croatia and Bosnia. Violence would almost certainly rule out the removal of the so-called "outer wall" of international



Say it with flowers: A student makes a gesture of peace to a policeman during protests in Belgrade yesterday

Photograph: Darko Vojinovic/AP

sanctions against Serbia, which include denial of access to the International Monetary Fund and suspension of membership in the Organisation of Security and Co-operation in Europe (OSCE).

Carl Bildt, the Swedish official in charge of civilian aspects of the Dayton peace settlement for Bosnia, said yesterday

that Mr Milosevic must refrain from violence against the opposition, since a political crisis in Serbia could spread instability all over former Yugoslavia. "Violence would dramatically increase the distance between the regime in Belgrade and the international community," he added.

The problem for the Serbian opposition is not only to find ways of keeping up pressure on Mr Milosevic but to maintain the unity of Zajedno, a movement that includes liberals, nationalists and ex-nationalists, and a large trade union. Mr Djindjic and another opposition leader, Vuk Draskovic, once embraced

a form of strident nationalism that seemed little different from that of Mr Milosevic.

Both men now say they want to follow the example of countries such as Poland and Hungary since 1989 and transform Serbia into a free-market democracy. Mr Djindjic says he supports political pluralism and

a law-based state and would respect the Bosnian peace accord.

Even if the opposition fails to topple Mr Milosevic, its leaders believe they have inflicted irreparable damage on his image.

"We have torn off his mask ... to show him as he really is - a small-time Balkan dictator," Mr Djindjic said.

significant shorts

Burmese students take to streets

At least 1,500 Burmese university students staged the second street demonstration in six weeks yesterday when they moved a peaceful sit-in protest to the streets of Rangoon. Among their demands were that the government grant students more independence and investigate police brutality.

Some of the students took part in a sit-in at the Yangon [Rangoon] Institute of Technology (YIT) earlier in the day, before marching three miles to the gates of Rangoon University.

Reuters - Rangoon

Africa drops Boutros Ghali

In a blow to United Nations Secretary-General Boutros Ghali's candidacy for a second term, the president of the Organisation of African Unity, Paul Biya, has said that African nations should drop their support for him and find new candidates for the top UN job because of American opposition to the Egyptian incumbent. On 19 November, Washington cast the lone negative vote against Mr Boutros Ghali in the 15-member UN council.

AP - United Nations

French call for revenge

France said that it would ask the Zaire authorities to waive the diplomatic immunity of their ambassador to Paris, Ramazani Baya, following his involvement in a fatal road accident 10 days ago.

The ambassador was said to be driving 120km per hour in a 30km zone on 23 November when two adolescent boys were hit and killed in the Riviera resort of Menton. Mr Ramazani Baya has already left for Kinshasa.

Mary Dejevsky - Paris

Russian forces commander 'stunned'

The commander of Russia's land forces, sacked by President Boris Yeltsin for "actions incompatible with his post", said he was stunned by the news and denied any wrongdoing. Mr Yeltsin signed an order sacking General Vladimir Semynov on Saturday "for actions which discredit the honour ... of a serviceman".

Reuters - Moscow

Man admits Briton deaths

A 26-year-old man surrendered to police saying he was responsible for the murder of two British women in South Africa four years ago, police said. Julie Godwin, from Northampton, and Elizabeth Over, who lived in South Africa, were hacked to death on a deserted stretch of beach north of Sodwana Bay in 1992.

Reuters - Durban

Fear in the West Bank

Yasser Arafat's Palestinian Authority has been involved in a growing number of human rights abuses over the past two years, Amnesty International said in a report. The practice has created a "climate of fear and intimidation" in the West Bank and Gaza Strip, the human rights group said.

AP - Gaza City

Kremlin man wins Moldova

Petr Lucinschi, who was once a leading communist official in the Kremlin, was elected president of Moldova after beating the former Soviet republic's first post-independence leader, President Mircea Snegur, in a run-off vote on Sunday.

Reuters - Chisinau

Rebel forces push deep into Zaire

David Orr
Nairobi

Rebels in eastern Zaire are continuing to push westwards, driving the demoralised Zairean army (FAZ) before them. Missionaries evacuated from the area have reported looting and raping by Zairean troops fleeing north after the capture of a number of towns in the interior. The rebels, who are backed by neighbouring Rwanda, are committed to toppling the regime of the Zairean president, Mobutu Sese Seko.

A senior Zairean rebel commander said yesterday that rebels had entered Kisangani, the largest city in eastern Zaire, and were in control of parts of it. Commander John Kabunga, senior aide to the rebel leader Laurent Kabila, said in the town of Goma that rebel forces had reached Kisangani from the east by bypassing the intervening town of Walikale, where they had encountered difficulties.

What started in October as a localised self-defence campaign by a group of ethnic Tutsis has become a full-scale insurgency. The conflict, which has caused massive movements of panic-stricken people, is increasingly threatening to ignite the whole of central Africa. Having accused Rwanda's Tutsi-led government of arming and fighting alongside the rebels, Zaire has turned on Uganda, seen by many as the most stable country in the region.

Uganda admits shelling the Zairean town of Kasindi which it says was occupied by rebels opposed to the Ugandan President, Yoweri Museveni. But it denies having crossed the border and occupied part of Zaire. Zaire says it will counter-attack, though how it proposes to tackle the well-trained Ugandan army, having failed to suppress an uprising in its own backyard, is unclear. The Zairean government has repeatedly voiced its opposition to plans for the deployment of a foreign intervention force in its eastern region, having lost control over it more than a month ago.

More than 20 countries, among them Britain, the United States and Germany, are due to contribute to the multinational force which is being led by Canada. The scale of the intervention has been trimmed back radically in the face of widespread regional opposition and growing evidence that not so many refugees are at risk as was originally thought.

The United Nations and aid agencies have said that as many as 700,000 Rwandan refugees and Zairean civilians need to be rescued from eastern Zaire, having been uprooted by fighting. But Rwanda - on whose territory the international community originally wanted to base the intervention mission - says few of its nationals remain in Zaire. Their claim is supported by United States satellite pictures which show only small concentrations of refugees still in eastern Zaire.

More than half a million Rwandan Hutus returned to Rwanda last month from eastern Zaire where they had lived in refugee camps for more than two years.

The intervention force has so far been unable to get convoys of food and medical aid to the refugees. Taking their cue from their Rwandan backers, the Zairean rebels say they will only allow a handful of multinational military personnel into the territory they control. The rebels fear that the presence of such a force could neutralise the amazing gains they continue to make against the FAZ and allied Rwandan Hutu militias.

The Canadian-led force has been considering airdrops of food to the refugees in eastern Zaire. So far, however, it has only been able to deliver a small consignment of aid to Tanzania. Refugee camps there have recently swelled with an influx of Zaireans and Burundians fleeing eastern Zaire.

Fighting in Burundi has flared up again in recent days, with Hutu rebels reporting attacks on Tutsi army positions in five regions.

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Grim spectacle: Onlookers viewing the wreckage of a train coach destroyed by a bomb at Ambala station in Punjab yesterday. At least 12 passengers were killed and 37 injured in the blast, which police say marks an upsurge in separatist violence in the region. Photograph: Reuters

Newswoman of courage cuts through the lies

Algiers — Salima Ghezali dipped her slice of cake-like bread into the dish of "meshoui", a thick paste of tomato, peppers and onions which the waiter had brought to our table with a flourish when Algeria's only female newspaper editor walked into his restaurant. She spoke quickly and quietly but with immense eloquence and courage. Journalists here are a dying breed — 69 have so far been shot, had their throats cut or been tortured to death — but Ms Ghezali could not be more alive, her words as sharp as razor blades, her humour as cutting as a knife.

Was she afraid, we ask? She nods at us brightly. "Almost all the time. Some days I forget to be afraid. Today? I was afraid

INSIDE ALGERIA

ROBERT FISK

all last night but this morning I woke up and the weather was beautiful and everything was OK. Sometimes I try to convince myself that I'm a good Muslim so that I somehow get divine protection. It's very irrational, the way we build our psychological hopes. Sometimes there are days I phone my daughters or friends and we decide to say a prayer at the same time in the evening to create a kind of 'wave'. It's a game that's both serious and non-serious. It's completely irrational to create rises of this type — to prevent us saying to ourselves 'it comes when it comes'.

It — sudden and frightful death — gets banished to the edge of our conversation as Ms Ghezali, editor of the 60,000 circulation weekly *La Nation*, studies the menu of cheese pastries and traditional Algerian *brigue a l'oeuf* pizzas. "I always have trouble deciding what to eat," she says suddenly. "The problem of making decisions begins when you are raised in a country where you have no choice about anything. My friends have the same problem — they have made political decisions but when faced with choices, they can't do anything!"

Ms Ghezali laughs at her own joke, a shake of the head turning the long red hair on her shoulders. A divorced mother of two, she was a schoolteacher in the wild Mitidja hills before turning to journalism. She has been editor in chief of her liberal paper for two years. "Promotion comes earlier in wartime than in peacetime," she observes gently.

"There are a lot of young people who could be good journalists in Algeria but they don't have the right training. They don't live on purpose. But in a country like this, information is held exclusively by the authorities — and this gives them an extreme margin of manipulation that enables them to control the journalists and makes them lie sincerely. A lot of journalists here are honest, respectable people but when they are told, for example, that a man has been killed by the Islamic Armed Group — the GIA — the journalists have no means to check, so they go ahead and say what they're told."

In the afternoon sunlight, Ms Ghezali's face clouds over. "There are terrible means of placing psychological control on journalists here," she says. "At the beginning of the attacks on

journalists and intellectuals, the security services provided them with video-cassettes which showed terrorists torturing and assassinating people, cutting their throats. I know these cassettes exist but I don't know where they are."

"The security authorities claim that the terrorists made these cassettes to show their violence. But you can also see how it's an excellent way for the authorities to impress the people who are the conduit for information — that is, the journalists. I have spoken to some who have seen these cassettes — and after that, when you say the word 'political dialogue', they think you are a monster."

Talking to Ms Ghezali is both an inspiring and deeply depressing experience because of her bravery, depressing because there are not many Salima Ghezalis in Algeria.

The winner of three international press awards, including the International Press Club's prize awarded to her in Spain in July this year, her paper was temporarily closed by the government a year ago. "We told our readers that the circumstances for holding the presidential elections [which gave the presidency to General Liamine Zeroual] were not right. We said nothing would change. So they shut us down for two weeks. Unfortunately, we were right."

Last March, the government closed *La Nation* again, this time for an article on Algerian human-rights violations. "The whole issue was seized. Two weeks later, we were banned again because of an article about the 'self-defence' militias, even though Amnesty International had said the same thing. The only news that the regime lets through is news that's in its favour. We can get scoops but we can't print them. That's why we decided to publish analysis instead... but everything that's outside the system has already been swept away, and if a newspaper like *La Nation* can continue to exist, it's because we are prepared as well to work within the system."

After lunch, we drive *La Nation*'s editor to her office to collect this week's edition, through the crowded downtown streets with their eternal, watching, unsmiling men. "It's a job that's intellectually very frustrating," she says. "On a weekly, you have to explain all the lies that have been told all week so you can explain what you want to say. No one has ever called us in to discuss our line but we know what we can't write. It's complete self-censorship."

Argentina steps up search for Nazi submarine

Phil Davison
Latin America Correspondent

It is an image that has fascinated and haunted Argentines since the end of the Second World War — Nazi officers dropped from U-boats, wading ashore with suitcases of gold ingots and disappearing into the night to take up new identities.

Adolf Eichmann, Josef Mengele and Martin Bormann were among those who fled to South America, aided by a network partly fictionalised by Frederick Forsyth in *The Odessa File*, to be welcomed by such leaders as Juan Domingo Peron.

Now, Argentina's President, Carlos Menem, has pledged to back efforts to prove the stories were true.

At the weekend he said the government would provide technology to try to find a U-boat believed to be embedded in shallow waters near the southern port of San Antonio. The navy and coastguard would join the search.

Locals say they saw the submarine arrive in an area known as Parrot's Cove, disgorge groups of shadowy figures and disappear. Jewish community leaders believe the Nazis were carrying gold and other treasures, much of it looted from victims of the Holocaust.

The U-boat has been spotted a few times since during particular weather conditions and low tides, and by a pilot, Mario Chironi, 15 years ago. He flew over the same area at the weekend to guide divers but so far they have found nothing.

A local paper broke the sto-

ry when it published a photograph of the boat said to have been taken when it arrived in the cove, 1,300 miles south of Buenos Aires. It got the picture from a member of a neo-Nazi group while researching a series on such groups' activities.

A San Antonio resident, Gisella Bochi de Paesani, said she saw the submarine in 1945 when she looked out of her window to rest her eyes from knitting. "It disappeared soon afterwards, then I heard a plane go over, perhaps looking for the submarine."

Jewish sources said some of the Nazi booty arrived as gold, carried by hand or laundered through Swiss banks by melting and remoulding, while much also came in bank transfers via the "Evita trail".

The sources said that Peron sent his then lover, Eva Duarte — later to be his wife, "Evita" — to Switzerland to arrange and oversee the transfers.

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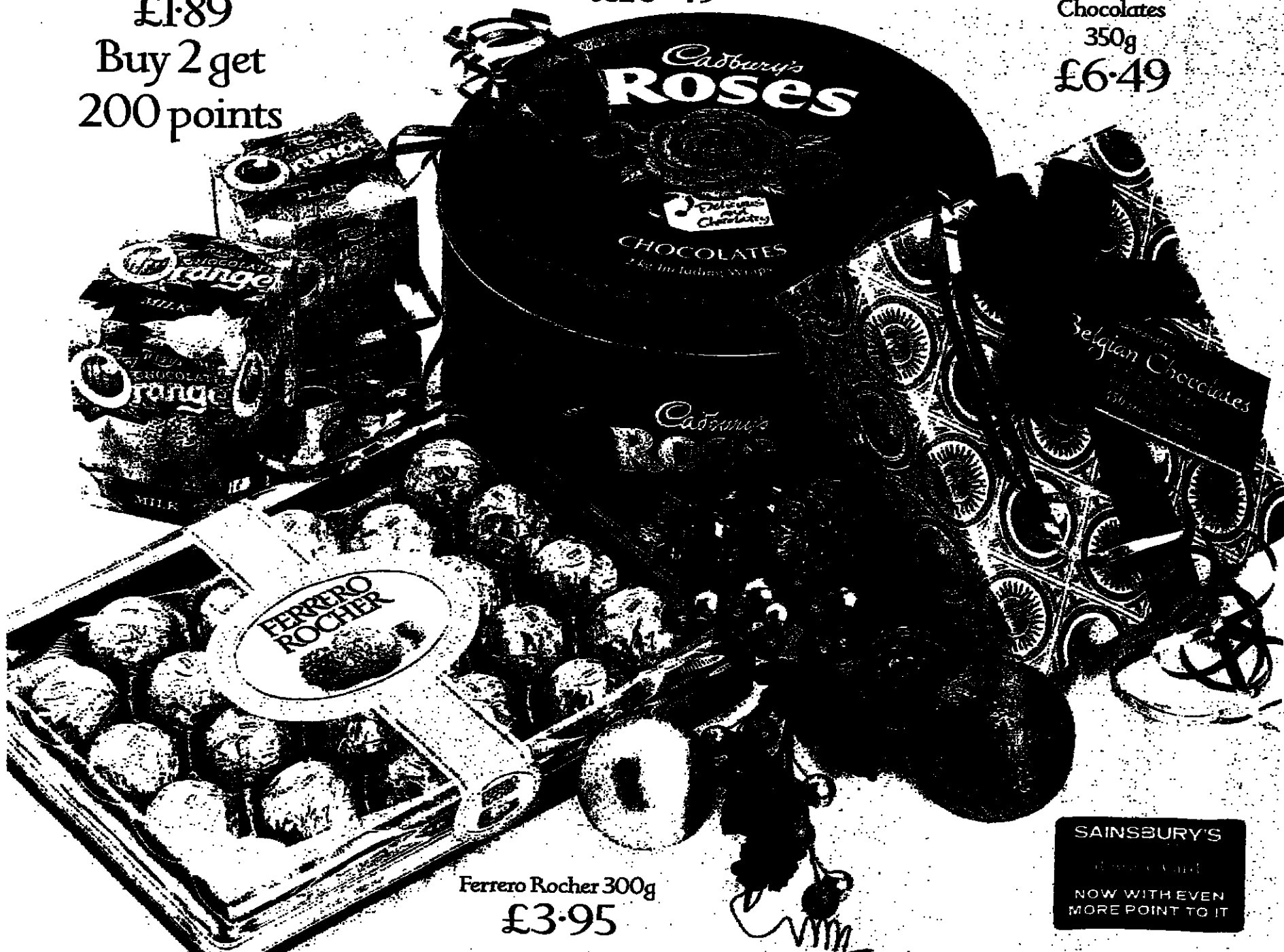
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Age Group	Percentage of Respondents
18-29	~65%
30-49	~75%
50-69	~80%
70+	~85%



A black and white photograph showing a church with two prominent domes in the foreground, situated on the edge of a calm body of water. The church's reflection is visible in the water. Behind the church, a massive, steep mountain rises, its face showing some structural elements or paths. The sky is bright and appears overexposed.

German racist thugs jailed

Organised racist attacks have abated in east Germany but foreigners are still the target of random violence. Two weeks ago an 18-year-old went on trial in Oranienburg, near Berlin, for the murder of another British building worker, Lee Hawthorn, in 1994. He allegedly tied Mr Hawthorn to his car and dragged him for five miles.

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Type of Property: _____
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Terraced House: ☐ Detached Bungalow: ☐
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obituaries / gazette

Bernard Rose

Bernard Rose was one of the giants of English choral music in the post-war era. He was one of the defining choir trainers of his generation, a larger-than-life, chain-smoking, colourful, rum-bustious personality, who took his choir at Magdalen College, Oxford, to new heights and did much to assist the upsurge in wider choral and cathedral music standards which has since followed.

Initially a Cambridge man – at the age of 18 he won an organ scholarship to St Catharine's College (over Edward Heath, who went on to get Balliol) – Rose was a fast achiever. He received his early grounding in harmony and counterpoint, at which he later excelled as a teacher, from Walter Alcock at Salisbury, at the Royal College, and from Hubert Middleton at Trinity, Cambridge, and had already made a name for himself as conductor of CUMS, the Cambridge University Music Society, and at the Queen's College, Oxford, where he was tutor in music from 1939 to 1957, before progressing to Magdalen. But his 24 years there as Fellow, Organist and Informator Choris-tum were to prove the high point of his career.

Rose started as he meant to go on, inheriting Dudley Maude as his first organ scholar, and clearing out the clerks with undergraduate choral scholars (Academical Clerks) and making rapid improvements in the standard of choral evensong, the service which was the Magdalen chapel's lifeblood.

Seeking the best for the college, he was never sparing of himself. He built on and developed Magdalen's extensive repertoire, one of the largest and most varied anywhere in the country; established a uniquely vigorous and dramatic manner of psalm-singing; and insisted on the highest standards and precision of enunciation. He was more instinctive than systematic in his approach, and could be more than prickly where standards were not delivered, but generations of boys and men have cause to be grateful for his meticulous, impassioned, and at best inspired, direction.

There were many defining points in Rose's long career. The first was probably the death of his father when he himself was aged three, which may have had something to do with the patent insecurity and vulnerability which drove him later on, and the extremes of intolerance, warmth and gen-

erosity which epitomised his dealings with people. The death led to a move with his mother to Salisbury, where he became a leading boy chorister in the Alcock years, and possessed a solo voice of such calibre and renown that he was lined up as a stand-in for what became the famous Ernest Lush recording of Mendelssohn's *Hebrides* hymn.

With the support of Walter Alcock he progressed to the Royal College of Music and then Cambridge, where he received close encouragement from Boris Ord and Patrick ("Paddy") Hadley, who also helped financially. His success at CUMS led directly to the interest of Sir Adrian Boult, who invited him to conduct the choir, his Surrey home, to meet other conductors, and paved the way for a job offer from the BBC. In the end, Rose stayed with the academic life for which he was cut out, and accepted an offer to become tutor in music at Queen's, moving to Oxford and settling into a college hostel on the Iffley Road.

His world was in upheaval, anyway, in two ways. In 1938 he had met, and by Christmas 1939 had married, Molly Marshall, moving then to their first joint home in Northampton. He also signed up for the Royal Air Force, typically fell out with his commanding officer on a point of principle, and transferred from the Northants and later 4th County of London Yeomanry. In due course he was posted to Cairo and fought with the "Desert Rats" in the campaign of El Alamein before being transferred from North Africa to Italy. His wife meanwhile was piloted for ATA, the Air Transport Auxiliary. The comradeship of these war years was something which coloured each of their outlooks, and the value they jointly placed on hospitality and friendship, thereafter.

The D-Day campaign in northern France proved more traumatic. By then promoted captain and regimental adjutant, Rose landed unscathed at Arromanches, only to see his unit carried to pieces by the German tank gunners and artillery a few days later at Villers-Bocage. He was taken prisoner, and spent the remainder of the war as a POW in central Germany.

Returning to Oxford, where he later became the first official Fellow in Music at Queen's, Rose threw himself into his duties with undiminished aplomb. For the Ecclesfield Musical Society he conducted major premieres of works by Vaughan Williams, and by his friend

and departmental colleague Edmund Rubbra.

Rose was fortunate in encountering early on a clutch of pupils, some seeking him out from other colleges, of the highest calibre. Kenneth Leighton, later Professor of Music at Edinburgh and a noted composer, was one of these, and went on to become a close personal friend. Another, unexpected, spin-off from Queen's was Rose's encounter, and subsequent longstanding friendship, with the conductor Leopold Stokowski.

By now a family had come along (three sons) and the Roses were happily ensconced outside Oxford at Bampton, where Bernard could indulge his passion for cricket, for a time captaining the local team. In parallel with his music, Rose was a natural craftsman, and loved working with wood, a skill which he put to good effect in the beautifully restored family homes both there and at nearby Appleton. Many a chorister or colleague enjoyed the benefits of the Roses' charming, and sometimes riotous, hospitality. Bernard also took a growing interest in the City of Oxford Silver Band, which he conducted, and of which he was later a keen President for 10 years.

But it was his quarter-century as organist of Magdalen that Bernard Rose will be most remembered. The calibre of his boys was a testimony in itself. He set about his work with the choir with a passion, and single-handedly created one of the finest singing vehicles in the country, capable on a good day of matching St John's or King's in his own old university of Cambridge, and of enjoying an ongoing friendly rivalry with his friend David Lumsden's New College choir, just up the road.

Rose's approach was ever robust. He could generate the most appalling tensions in a boys' or men's practice, only to coax from them – and from himself – minutes later in a service, the most surpassing, moving and committed performances. On bad days he would join in the singing, embarrassingly, or over-awe and cow his charges so that they stung mesmerised, making errors all over the shop. At other times he was sweetest and light itself, bringing a delicate sense of inspired musical phrasing to Renaissance or Romantic repertoire alike, and illumining the Magdalen psalms into a musical masterpiece, and a genuine, tasteful act of worship and praise.

This was never more so than those rare occasions when an



Rose at his 80th birthday celebration in May in Magdalen College Chapel, when the first Magdalen Rose, established in his honour, was awarded to the Waynflete Chorister, right, Rupert Burley

even-song consisted of his own music. Rose made no special claims for his output, but his compositions had stamped upon them the clear mark of a miniaturist master-craftsman. His responses and psalm chants alone were exemplary – indeed, the Magdalen chanted which Rose evolved over the years was one of his finest achievements. But his Evening Canticles, especially the little-known unaccompanied Short Service, his shorter anthems and longer pieces – notably the *Feast Song for St Cecilia*, with its haunting soprano solo setting words by his son (the conductor, Gregory Rose) and the *Catharine Ode*, composed for the quinquennial of his old college – all bear witness to his alertness, imagination and genuine inspiration in writing for choir.

Rose's natural habitats were the organ loft, practice room and his teaching room (the atmosphere peppered alternately by guffaws, biting sarcasm and

unmentionable oaths). He was also, however, a distinguished editor of church music. His edition of *Musica Deo Sacra* in the "Early English Church Music" series is a model of its kind, and pays tribute to a composer whose music, in manuscript or printed form, was a staple item of Magdalen College evensongs. He nursed many other early composers, some of them his predecessors, into the repertoire – Nicholson, Rogers, Appleby, Sheppard, Daniel Purcell. It was undoubtedly a tribute to him that so many ground-breaking choral groups – the Clerks of Oxford, the Sixteen, the Tallis Scholars – stemmed, directly or indirectly, from the pioneering efforts he himself made with the Magdalen choir.

Rose's almost Yorkshire plain speaking could lead him to say things he would afterwards come to regret, and even earn him enemies; but his self-drive, his catalytic flair, his occasional downright earthiness

and his fierce loyalty to those with whom he formed a bond of mutual trust and respect made him many friends also. He remained the firebrand he was, even though late in life he was plagued by breathing difficulties. If cathedral and church music in England now stand on a peak in the world, he deserves full recognition as one of the people who put it there.

Roderic Duane

Bernard William George Rose, organist: born Little Hallingbury, Hertfordshire 9 May 1916; Organist, Queen's College, Oxford 1939-57; Fellow 1949-57; Fellow, Organist, Informator Choris-tum, Magdalen College, Oxford 1957-81 (Fellow Emeritus); Vice-President 1973-74; University Lecturer in Music, Oxford University 1950-81; Chorus in the University 1938-63; President, Royal College of Organists 1974-76; OBE 1980; married 1939 Molly Marshall (three sons); died 21 November 1996.

Ernie Leslie

Few jobs have been more undervalued by society than those of the full-time trade union officer at regional level. Owing to the pressures of out-of-hours branch meetings trade union officers can go for long periods without so much as an evening at home to themselves. All kinds of brickbats hurled in their direction. They get little gratitude. And yet, time and again, they are the unsung heroes whose patience and, often, valour keep British industry going without catastrophic disruption.

Such a one was Ernie Leslie, a full-time official of the Amalgamated Engineering Union (AEU) and, as it became in 1985, the Amalgamated Union of Engineering Workers (AUEW) for 37 years. It is my opinion, as his local MP and that of Sir Gavin Laird, general secretary of AUEW, a member of the Court of the Bank of England and much else, that had it not been for Leslie's guts and persistence in the early 1970s the British Leyland truck and tractor plant at Bathgate, then the biggest machine shop under one roof in Europe, would have closed, depriving central Scotland of 15 years of vital employment for 6,000 men before the coming of Silicon Glen.

Laird describes Leslie as "an old-fashioned type of trade union officer with estimable qualities. His job was to look after the membership. He never shrank from telling them unpopular things if the unpopular was the truth and in their interest. He never sought popularity. In these circumstances he was consistently elected and re-elected because members understood that he was operating in their real interests. Leslie for his part understood that business had to be profitable and efficient in order to provide work."

Ernie Leslie was born in 1920 in Leith, the port of Edinburgh, into a skilled craftsman's family. He had a sound education at Leith Academy for which he was always grateful. Later in life he would raise some left-wing eyebrows by saying that the belt for not getting his maths right, let alone check in class, made it possible for him to reach a standard that won him a skilled apprenticeship.

At 16, he joined Miller's Marine Engineers and showed aptitude as a calibration mechanic. One consequence of this rare skill was that Leslie found himself in a reserved occupation during the Second World War, though he was to work through the German bombing of Hull docks, mending the steering mechanisms of damaged ships. In a long-running dispute about skilled pay differentials, his AEU colleague, the late Alec Ferry, general secretary of the Confederation of Shipbuilding and Engineering Unions, told me: "One thing you must always remember about Ernie is that he is an extremely talented mechanic himself and will always in any dispute uphold the claims of skilled craftsmen for favourable treatment."

A chance meeting with John Boyd, later to be the legendary and controversial general secretary of the engineering union, led to Leslie's being offered the job of district secretary for Edinburgh of the AEU at the age

of 28. This post he held for 17 years during which there were massive changes and decline in the once famous Edinburgh printing industry. In 1965 he was appointed divisional organiser for the east of Scotland.

These were turbulent times in the union, with bitter and highly personal differences between Right and Left. In general terms Leslie was a cog in the right-wing machine but his close colleague Ronnie O'Brien recalls that, precisely because Boyd had recruited him, Boyd was fixating with rage when Leslie had told him that he supported unilateral nuclear disarmament. "Leslie was very much his own man," says O'Brien. "I served on the Edinburgh and Falkirk District Committee with him and saw him in action." In the National Committee, which he attended diligently for 20 years, Leslie was a loyal if not automatic supporter of Bill Carr, the right-wing president of the union. He had many well-informed and constructive views as to what the union should do to promote training and education among its members.

Leslie was very human in his personal relations, which he conducted with a sense of humour. His attitudes are encapsulated by his treatment of the leaders of the women's strike at the Plessey factory in 1982. Mrs Ina Scott recalls his celebrated episode when he visited the women, beds and all, slept a week in the Bathgate factory,



Leslie: "very much his own man"

fighting not for pay but for their jobs and against the closure of a once proud plant. Many weeks into the strike, John Smith MP for North Lanark, later leader of the Labour Party, and had come – as we did weekly, a local MP – to give them support. An hour later Leslie turned up and told the women to stop the sit-in and get back home. Unceremoniously he was hounded off the premises by the angry ladies. But before he left, no hard feelings, he did what he had done on every other occasion – gave the strike leaders a list for the dog racing (on which he was no mean authority).

Leslie had a disarming charm in dealing with angry members.

Tom Dalyell

George Ernest Leslie, engineer and trade union official: born Leith 15 June 1920; divisional organiser, AEU/AUEW, Edinburgh and East of Scotland District 1965-85; ABE 1979; married 1942 Don Tait (died 1986; four daughters, 1982 Laura Baird (one stepson, one step-daughter); died Edinburgh 21 November 1996.

Maj-Gen David Miller

In the stress of battle one incident will sometimes reveal the character of the soldier. In Aden in 1967 just such an incident occurred, revealing much about the then Major David Miller.

On the morning of 20 June a rumour spread that four colonels of the South Arabian army had been arrested and dismissed. The South Arabian army rioted and fired off shots which were heard in a nearby Arab police barracks in Champion Lines, directly opposite Radsan Camp, which was occupied by British forces. The Arab police assumed that the British had opened fire on the South Arabian army and started to fire indiscriminately across the road. A three-ton vehicle with 19 British soldiers on board, unaware of the shooting, passed between the two camps. The Arab police opened fire and nine soldiers were killed.

C Company of 1 King's Own Border Regiment, under Miller's command, was ordered by Lt-Col Mike Walsh (commanding officer of the 1st Parachute Battalion) to get into Champion Lines, restore order and protect the lives of the few British personnel serving with the Arab police. This was a tough task, for C Company had to cross 300 yards of open desert from the camp, in the face of fire, which they were unable to return. Casualties were a certainty.

At 10.45am C Company moved off and almost immediately the machine-gun on the leading vehicle was shot dead and a further eight men wounded. Miller, regardless of the danger, pressed home the assault. Once in Champion Lines, his men quickly restored order without having to inflict casualties. Later Walsh was to write: "The restraint and discipline of



Miller: charismatic leadership

that company was outstanding, and I believe also that both the police and army were deeply impressed by that action, for it did much to restore their respect for British troops." Miller was awarded a Military Cross.

David Miller was born in 1931 in Essex. After schooling

in Loughton, he went on to Sandhurst, from where he was commissioned into the Border Regiment in 1951 and served with them in Egypt. From 1953 to 1955 he trained National Servicemen at Carlisle Castle. In 1957 he was appointed to Special Intelligence duties in Berlin and in 1960 seconded to the Nigerian military forces. While there, he passed the examination for Staff College, Camberley, and after graduating became a Staff Officer (Training) at GHQ Far East Land Forces.

After attending the Joint Services Staff College in 1970, Miller took command of 1 King's Own Border Regiment for their resident tour of Northern Ireland. During Operation Motorman, the "No Go" areas of the Creggan in Londonderry meant little to 600 Cumberland soldiers ably led by Miller. However, he did have a near

miss when an IRA bomb exploded under his Land Rover.

Following this, he joined the directing staff of the National Defence College, then went on to the Ministry of Defence where he was responsible for monitoring Warsaw Pact activities by Nato and the British Army of the Rhine. In 1978 he returned to Northern Ireland to command the over-expanding Ulster Defence Regiment. He led them well and was particularly supportive of the female members of the regiment, the "Green Finches".

From 1980 to 1983 Miller was Chief of Staff BAOR, and in 1984 was promoted Major-General and posted to the specialised and semi-diplomatic role of Chief of Staff and head of the UK delegation at Supreme HQ Allied Powers Europe. He was Colonel of his beloved King's Own Border

Regiment from 1981 to 1986, when he retired from the Army.

He lived thereafter in north Devon. At 55 with his background and understanding of men and women he was ideally suited to his new task of magistrate and was also on the board of prison visitors. He took an active role in two family businesses and held a part-time post in the French firm Gracemoor.

David Miller was a charismatic man and a fine and compassionate leader of men respected by all ranks. That short, fiercely contested 300-yard dash in Aden typified his qualities: inspired leadership, courage and commitment.

Max Arthur

David Edwin Miller, soldier: born 17 August 1931; OBE 1973, CBE 1980; CB 1986; married 1958 Mary Fisher (two sons); died 6 October 1996.

Births, Marriages & Deaths

DEATHS

GARDNER-MEDWIN: Margaret, widow of Robert and mother of David, Andrew, Tony and Christopher, 28 November 1996, after a short illness. Funeral at St Bridget's Church, West Kirby, Wirral, at 1.15pm on Friday 6 December, and afterwards at Frank's Cemetery. Family flowers only, please, donations if desired to Birkdale School for Hearing Impaired Children, Birkdale PR3 2JY.

IN MEMORIAM

STINTON: A year has passed, Frank, but you will guide me in no such that I do. Simply the best. Nigel.

STINTON: Frank. A wonderful friend – always there. Tony.

For Gazette BIRTHS, MARRIAGES & DEATHS, please telephone 0171-293 2911 or fax to 0171-293 2911.

Lectures

National Gallery: Helen Langdon, "Cruel Cuts (I): Caravaggio and the Severed Head", 1pm.
Tate Gallery: Sarah Kent, "Turner Prize Gallery Talk", 1pm.
British Museum: Jonathan Tubb, "Archaeology in Jordan (ii) latest results from the BM excavations at Tell es-Sa'idah", 1.15pm.
RIBA Architecture Centre, London W1: Daniel Libeskind talks about his work, 6.30pm.

Birthdays

Professor E.W. Abel, President, Royal Society of Chemistry, 45; Mr Trevor Bailey, former England cricketer, 75; Mr Ralph Bennett, former chairman, London Transport, 73; Professor Ian Butterworth, former Principal, Queen Mary and Westfield College, London, 66; Mr Charles Craig, operatic tenor, 77; Mr Mike Gibson, former rugby international, 54; Mr Jean-Luc Godard, film director, 66; Sir William Harpham, former ambassador, 90; Professor Geoffrey Kirk, Emeritus Professor of Geoscience, Cambridge University, 75; Mr Franz Klammer, skier, 43; Mr David McCall, chairman, Anglia Television, 62; Mr Ralph McGill, guitarist, 52; Miss Tanya Molewitsch, designer for the theatre, 83; The Rev Professor Charles Moule, theologian, 88; Mr Paul Nicholas, actor and singer, 51; Mr Victor Pasmore, artist, 88; Mr Robert Phillips, deputy Director-General, BBC and chairman, BBC Worldwide, 51; Mr Mel Smith, actor and comedian, 44; Professor Peter Toyn, Vice-Chancellor, Liverpool John Moores University, 57; Mr Andy Williams, singer, 66.

Anniversaries

Births: Nicola Aspin, violin-maker, 1596; Johann Franz Xaver Sterkel,

ROYAL ENGAGEMENTS

The Queen holds an engagement at Buckingham Palace and is accompanied by The Duke of Edinburgh, Prince Charles and Prince William. The Duke of Edinburgh is accompanied by The Duchess of Edinburgh, The Duke of York, The Duke of Gloucester, The Duke of Kent, The Duke of Cambridge, The Duke of Cornwall, The Duke of Devonshire, The Duke of Northumberland, The Duke of Norfolk, The Duke of Somerset, The Duke of Suffolk, The Duke of Westmorland, The Duke of Westminster, The Duke of York, The Duke of Gloucester, The Duke of Kent, The Duke of Cambridge, The Duke of Cornwall, The Duke of Devonshire, The Duke of Northumberland, The Duke of Norfolk, The Duke of Somerset, The Duke of Suffolk, The Duke of Westmorland, The Duke of Westminster, The Duke of York, The Duke of Gloucester, The Duke of Kent, The Duke of Cambridge, The Duke of Cornwall, The Duke of Devonshire, The Duke of Northumberland, The Duke of Norfolk, The Duke of Somerset, The Duke of Suffolk, The Duke of Westmorland, The Duke of Westminster, The Duke of York, The Duke of Gloucester, The Duke of Kent, The Duke of Cambridge, The Duke of Cornwall, The Duke of 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Democracy the cure for classroom malaise

Funny how the people who most dislike pupils suing their schools for bad exam results are also the noisiest in proclaiming the virtues of the market. Surely the two teenagers who are demanding damages from the school which failed to get them through enough GCSEs merely want to provide all "failing" schools with a market disincentive, in the form of large financial penalties, to raise standards? Instead of being praised for their initiative and public-spiritedness, however, they are condemned for trying to lead us further into an American "litigation culture".

There is an element, and not just on the right of politics, which objects to financially-rewarded whingeing. They argue that, as with the compensation for the police officers traumatised at Hillsborough, this case could lead us from the sad to the silly, defined for these purposes as the woman in the United States who sued McDonald's for making its coffee hot, after she tried to hold the cup between her knees while driving. But the free marketeers have a strong argument. The best way to enforce rights and responsibilities, they say, is to make people pay for failing to live up to them.

What is wrong with bludgeoning education authorities into defining what their schools are supposed to achieve and concentrating efforts and resources on the poor performers? If the education chiefs are "horrified" at

the prospect of 70 former pupils queuing up to sue schools which have been condemned by inspectors, will this not give them a real incentive to do something about the causes of poor schools? An honest free marketeer would decline the temptation to crack jokes at the expense of lawyers, and instead accept that they are only the mechanism for enforcing contracts – in this case, implied contracts – between individuals, corporations and the state. An honest free marketeer would insist that there is nothing wrong with a litigation culture. After all, litigation is simply citizens asserting their rights in a way that actually has some bite, including their right to properly run public services.

If people had not been able to sue in the wake of the King's Cross fire and Zeebrugge, would London Underground and the ferry operators now be so concerned about safety? There are complications and anomalies, such as the McDonald's coffee ruling, and the fact that dead people cannot suffer damages. But, in circumstances where the courts may not be able to instruct service providers to tighten up their safety procedures, the threat of claims for damages may be the only effective and constant pressure for safety in public buildings, public transport and public services. Litigation pressure, indeed, might provide Citizen's Charter commitments some real teeth.

So, honest marketeer, what is the

problem with all of this? The problem is that the free market is not, in practice, the sole arbiter of value. In the case of children suing their former schools, the honest free marketeer would push the idea of legally-enforceable contracts beyond the logical extreme. Most lawyers seem to agree (unusual in itself, this) that the two 17-year-olds, who are retaking their GCSEs at sixth-form college, have a slim chance of success. In the jargon, their problem is one of multiple causation. In plain English, the plaintiffs have to prove to the court that their poor exam results were not, at least

partly, the result of laziness or a bad attack of exam nerves.

Consider the case – a hypothetical one, but for how much longer? – of a 50-year-old man suing the government for the distress experienced during a long spell of unemployment, which he claims was caused by the Treasury running a monetary policy that was too tight. How can he prove that government policy was primarily responsible for him, as an individual, being unable to find work? More practically, the health service is plagued by claims with a questionable prospect of success.

There is a fundamental weakness in

the American model of a society based on the law of contract. It is that the state is not a company. Few citizens are at liberty to withdraw from their contract with the state in the provision of services such as health, education, public transport, policing. The alternative model is of a society ruled by politics, in which those who are responsible for services are subjected to discipline, and ultimately the sack, for failing to deliver. What is striking about much of the unnecessary litigation which threatens to overwhelm this country is that people say they don't want money, they want justice. What they need is a political system that delivers justice (it largely fails to do that at present); but turning to the courts will end up creating as much frustration as it dispels.

The answer is to strengthen the accountability of our system. That in turn means welcoming another kind of litigation – that of judicial review. It is often derided as an esoteric branch of law invented by clever and rich lawyers, but it achieves the aim of ensuring that ministers and officials have to behave reasonably and to account for themselves.

A Bill of Rights and a written constitution are sometimes seen as part of the problem, when in fact they are part of the solution. Of course, Americans regularly take to the courts to dispute their constitu-

tional rights; but here those broad principle laws would have the advantage of sealing those rights through consensual acceptance, rather than opportunistic adversarialism.

So the answer to our educational ills is not to call in an army of solicitors and well-paid QCs. It is, instead, to call teachers and governors and politicians and administrators to account through all our available points of democratic pressure. We can sack councils, governments, and school governors with our regular vote. We should use it.

The cappa cuppa is down the tube

Talking of rights – can you believe it? London Underground wants to stop its staff drinking frothy, puffy, choicy coffee, and confine them instead to machine-churned tea and instant granules. It's hard to credit, but it's true. No wonder workers nearly went on strike last week. Faced with the prospect of an electronically stewed cuppa, wouldn't you fight for cappas (and lattes and mochass) instead? There are, after all, some things that matter more than mere bread alone. And continental coffee is one of them.

LETTERS TO THE EDITOR

Junior doctors overstretched by hours cut

Sir: The comments of David Wreide ("Ministers want doctors to work 83-hour weeks", 28 November) are not shared by the majority of doctors, particularly in the surgical specialties. The reduction of additional worked hours from a previous average of 43 a week to a proposed 16 is impractical, since the workload in the hospital remains unchanged and the number of junior doctors has failed to rise significantly.

Junior doctors now find that during an on-call period they are suddenly responsible for the acute care of two to three times as many patients as in the past. These patients may be from a variety of different medical specialties the doctor is not normally familiar with.

The shift system that has been introduced in some hospitals results in particularly unsocial hours and working many more weekends and evenings than previously. Junior doctors slightly higher up in the ranks have to perform duties which are not appropriate to their experience, gained over several years of qualification; this prevents the natural development and progress of clinical skills.

The new deal means junior doctors working harder while on call. Now there is no chance of sleep. If anything, patients are going to be at greater risk from junior doctors working more intensely in more stressful circumstances than ever before.

To crown it all, there has been in real terms an absolute pay reduction because we are working fewer hours.

Unless there are more junior doctors there can be no easy way of reducing hours. It would be better to admit that we have to work long hours, and provide appropriate support. The majority of junior doctors are intelligent, hard-working and motivated people who entered medicine to make a professional career, and not to be reduced to the level of a clock-on, clock-off production-line system.

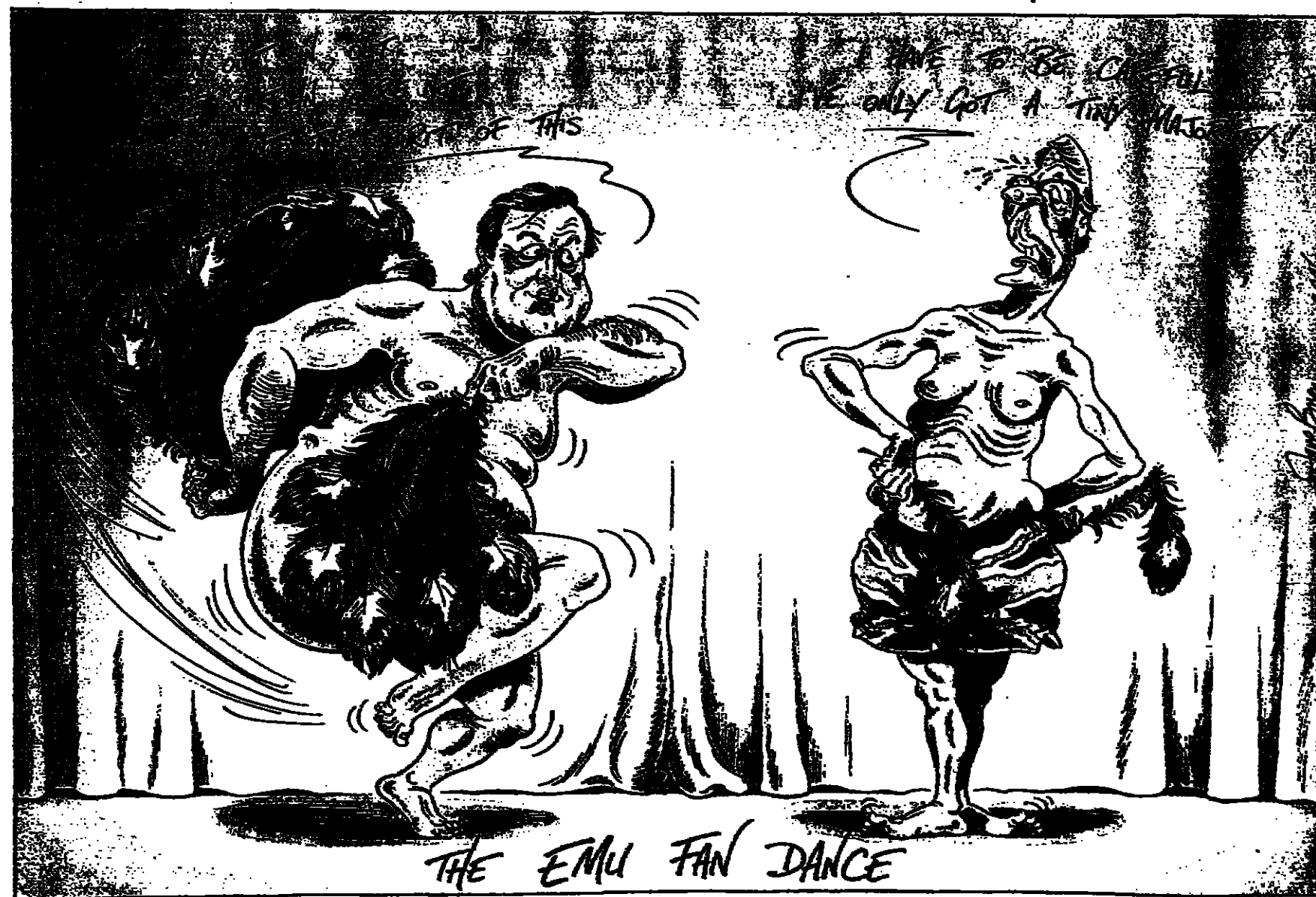
SA WAJED
Registrar
Department of Surgery
The Whittington Hospital
London N19

Sir: Your article "Ministers want doctors to work 83-hour weeks" may have led Dr Rogers (letters, 30 November) to draw the wrong conclusions.

My commitment to reducing junior doctors' hours is as strong as ever and I reinforced this point during a speech I made at the Queen Elizabeth Hospital, Birmingham, last week. We have made enormous progress since we launched the New Deal initiative in 1991 and the old culture which demanded regular 100-hour weeks is a thing of the past.

In the coming weeks we shall be outlining the strategy to build on what has already been achieved and to target those problem areas that still remain. The New Deal has greatly improved the lives of the many junior doctors who are now working more civilised hours. This working more civilised hours to achievement is principally due to the consultants, managers and task forces determined to make it possible.

GERALD MALONE
Minister for Health
Department of Health
London SW1



Assessing the soya bean risk

Sir: The genetic engineering of soya beans, which has led to UK protests at the import of such beans ("Greenpeace blockades beans with new genes", 30 November), raises questions about the right of consumers to information.

But a risk assessment of herbicide-resistant genetically engineered soya beans should include a full environmental health impact assessment of the pesticide as well as the beans.

This should cover pollution from energy used for raw material extraction, and hazards from the chemical manufacture, storage, use, food residues, contamination and disposal of the pesticide active ingredient, plus its breakdown products and "inerts". Will the chemical company involved produce such an assessment for public scrutiny?

Ironically, there is much activity at present across the European Union to introduce effective pesticide reduction policies. Integrated pest management techniques, biological control of weeds as well as insects, and the selection of naturally occurring crops resistant to hostile environmental factors have been introduced to cut pesticide usage quite effectively in some countries.

Some crops are now being genetically engineered to increase resistance to diseases, "weeds" and insect pests. This still raises major questions about the impact of such crops, but at least it does remove the need to use pesticides.

The soya bean story you report may produce the worst outcome for consumers, production workers

and the environment – a genetically engineered plant and continued and significant pesticide usage: double jeopardy.

Dr ANDREW WATKINSON,
Director, Centre for Occupational and Environmental Health,
Leicester

Sir: Gil Warnock (letter, 28 November) gives a tolerable sketch of the various changes to the environment that have taken place in just one area of these islands since the last ice age, but doesn't mention the many human disasters that have accompanied these changes.

The Irish famine, the Black Death of the 14th century and the many plagues that followed it, the famines of the 13th and early 14th century, are well known. There is sketchier historical record of previous plagues and famines in western Europe back to Roman times.

Archaeology shows that a major change in climate badly affected the northern and western parts of the British Isles in the Bronze Age – wheat, for example, could no longer be grown – and there appears to have been a severe fall in both population and material culture as a result. We can now only guess at what hunger, disease and warfare resulted from the competition for declining resources.

It is precisely because the environment changes, and can be changed by our human actions, that people espouse environmental

causes. By better understanding how we interact with our environment we hope, unlike our ancestors, to be able to avoid the pain that otherwise goes with those changes.

To answer Mr Warnock's question of whether the environment is endangered or just evolving, it depends on your point of view. From that of the bacteria that break down oil-spills, to take just one example, it hasn't looked better for aeons.

CHRISTOPHER PADLEY
Market Rasen, Lincolnshire

Malnutrition due to bad budgeting

Sir: There may well be some evidence of malnutrition in Britain, as the Rev Paul Nicholson maintains (letters, 28 November), but his suggestion that this is due to inadequate Income Support is a political, rather than a factual argument.

For a single person, social security benefit of £50 a week on top of housing expenses is sufficient to buy food and other essentials (students frequently manage on less). Similarly, a couple with two children should be able to manage on £119 of Income Support plus housing costs without meals.

Nutritious food is available cheaply in supermarkets. On Monday we had three friends round for dinner; the cost of our

meal of garlic and herb chicken pieces, Brussels, carrots and roast potatoes followed by apple pie and cream came to less than £1.50 per head.

It is not levels of Income Support that need to be addressed by the poverty lobby but the misallocation of these resources on non-essentials like tobacco, alcohol and the purchase of lottery tickets.

PAUL ASHTON
Eastbourne, East Sussex

Farming fat cat doubles intake

Sir: Confusion seems to have crept into the conversation I had with your correspondent for your article "Farming fat cats reap a rich harvest" (29 November). I am quoted as saying that CWS received "around £1m" in set-aside payments last year. For the record, the figure was over £2m.

CWS Agriculture supports complete reform of the Common Agricultural Policy, replacing the linkage to production with the development of payments on land set aside for environmental reasons where appropriate. However, such payments would, in all probability, have to be acreage-linked.

MIKE CALVERT
General Manager
CWS Agriculture
Leicester

Sir: Gavin Strang's desire to reduce subsidy to large farming businesses and your research into farming

subsidies ("Farming fat cats reap a rich harvest", 29 November) raise a carload of issues.

Large farmers do receive large subsidies, but not disproportionately to the area farmed. Large farmers also have more hired labour. My recent, at this stage tentative, research, based on data supplied by Cambridge University, suggests that a fall in support by say 10 per cent would reduce employment by a little over 10 per cent. Agriculture is one of the biggest industries in the UK and in many areas it is the only source of employment.

UK farming has undergone significant structural change, and pain, compared with our European neighbours. It would be a pity if these hard-won advantages were lost.

Efficient production with reduced dependency on support for food production should allow any government to target resources to achieve its, or more importantly the electorate's, objectives. These may be cheaper food, maintenance of the environment, employment, organic farming, lower taxes or whatever.

SIMON WARD
Cottenham, Cambridgeshire

Needling issue

Sir: I am used to the suspension of logical thought when people discuss drugs, but can someone explain why the Irish, with one of the highest hard-drugs addiction rates, should want to impose their approach on Holland, with one of the lowest ("French lay siege to fleshpots of Amsterdam", 29 November)?

CHARLIE HARRIS
London NW3

Women do win art prizes

Sir: Suzanne Moore ("Masters and mistresses", 29 November) tub-thumps about "male privilege" in what is in the end a weak endorsement of a quota system in which both sexes will automatically be represented on shortlists such as the Turner Prize. Providing judges make nominations and award prizes only on the basis of the quality of the work, such absurd tokenism is unnecessary.

Last year, as a judge of the most valuable open art competition in the country, the NatWest Prize (totalling £35,000), I sat with five other jurors, all men (in suits), and we awarded all five prizes, including the £25,000 first prize, to those we considered the five best artists from over a thousand entrants. They were all women.

DAVID LEE
Editor, Art Review
London EC1

Blowing hot and cold on Celsius

Sir: I feel your item on the Fahrenheit v Celsius debate ("Whatever happened to Fahrenheit?", 30 November) may have underestimated the guile of the British public in subverting attempts at standardisation.

Rather than reject Celsius outright, we have merged it with our beloved Fahrenheit scale, for greater conversational effect. Thus, in summer we use Fahrenheit because the numbers are higher ("90 in the shade yesterday, old boy"), and in the winter we use Celsius because the numbers are lower ("Do you know it went down to minus 10 last night?").

Since the numbers in the middle refer to perfectly ordinary weather which no one wants to talk about, we can pull off this trick with ease, and defy anyone who tries to change it.

BRIAN HACKETT
Derby Dale, West Yorkshire

Shameful aid cut

Sir: I am dismayed at the Government's decision to cut overseas aid by 5.4 per cent (£188m) – this on top of a cut of £124m last year.

I wrote recently to my MP pointing out that Britain spends only 0.26 per cent of its GNP on overseas aid, though the UN-recommended figure is 0.71. My letter was passed to the Overseas Development Administration, and in her reply, Baroness Chalker stated: "Your constituent mentioned the target of 0.7 per cent of GNP... Our position on this remains unchanged. We've agreed to act in the interest of his client, who is usually not primarily concerned with architectural values or aesthetics."

It is any wonder that we are becoming increasingly disillusioned with politicians.

VINCENT KINGSTON
Oxford

Boundary wall

Sir: The point is not, as Sam Scorer implies (letter, 30 November) whether the planner or the architect is better qualified. The point is that the planner is employed to act in the public interest; the architect is employed to act in the interest of his client, who is usually not primarily concerned with architectural values or aesthetics.

ROGER JAMES
Secretary, The Portsmouth Society
Southsea, Hampshire

analysis



Today's 'scoop'

Another day, another piece of research. Yesterday many of us learned for the first time that thousands of Jews had fought beside Germans during the Second World War. The reaction in many was one of horror. While 6 million Jews were being exterminated, others were going hand in hand with the Nazis who had dreamt up the Final Solution. Even worse, the research established that 77 senior officers of mixed Jewish race or with Jewish wives had been accepted as having German blood by none other than Hitler himself.

Was this proof of a degree of collaboration, of a level of complicity that might be used to undermine the moral dimension in the lessons of the Holocaust?

The truth is much more prosaic. The research was carried out by Bryan Rigg, 25, an American studying history at Darwin College, Cambridge. For the past four years, Mr Rigg has criss-crossed Germany and travelled as far afield as Canada and Turkey in order to uncover tales of the Mischlinge, those of half or quarter Jewish blood who are not recognised as Jews by other Jews, but who were classified as such by the Nazis.

In the course of his travels, he has unearthed documents which show that two field marshals, 10 generals, 14 colonels and 30 majors in the Wehrmacht were of Jewish extraction. Field Marshal Edward Mink, deputy to the Luftwaffe commander Hermann Goering, had a Jewish father, but Goering falsified his papers, declaring: "I will decide who is a German."

Others with Jewish fathers or grandparents won military decorations. Helmut Wilberg, winner of the knight's cross, had a Jewish mother, but he kept his origins secret and went on to develop the German concept of *blitzkrieg*. Even Helmut Schmidt, West German Chancellor from 1974 to 1982, kept secret the fact that his grandfather was Jewish, and he went on to become a lieutenant in the Luftwaffe. Mr Rigg's research appears meticulous and was described by fellow historians as "useful" yesterday in that it was gleaned from people who lived through paradoxical times or those who lived close to them in the immediate aftermath. But fellow academics and Jewish historians said the revelations were not new and should not really surprise anybody.

"It has been known for a long time that many Jews who wanted to hide from Hitler believed that the army was as good a place as any," said Rabbi Albert Friedlander, dean of the Leo Baeck rabbinical training college. "The army was not the Nazi party and elements of it were actually opposed to Hitler."

"Some believed there was a better Germany - a Germany of Beethoven and Goethe that would last longer than Hitler. They had no idea of what was to come, and many would have known nothing about the extermination camps."

Indeed, according to the historian Evelyn Wilcock, author of *Pacifism and the Jews*, Germans who were half or quarter Jewish were routinely conscripted right up to the start of the war. By the outbreak of hostilities, thousands would have been in the army.

"They had no choice," she said. "The penalty for not serving was death, and the death penalty would often apply to family members, too." And many of those now described as being of Jewish extraction would not then have regarded themselves as Jewish. It is certainly unlikely that someone with a Jewish grandfather would call himself a Jew.

From 1942 onwards, however, Hitler ordered them to be rooted out of the army. Some were sent to labour camps, but others were helped by fellow soldiers or commanding officers, who felt more loyal to those they had fought with than to the Nazis.

There is, nevertheless, the potential for some embarrassment here - not in suggestions that some Jews collaborated, but in the way German attempts to create a pure race are reflected in some ways by Jews themselves. "In one of George Steiner's plays, Hitler turns round to some Jews at one point and says 'Where do you think I got the idea of a Chosen People from?'" said Mrs Wilcock. "What is embarrassing is that some of our own people put an emphasis on descent credentials in the same way as the Nazis did in their attempts to create a pure Aryan race."

The Jewish view of the Holocaust is one of black and white. It is like cowboys and Indians, good guys and bad guys. But it gets a little blurred when you start talking about Mischlinge from mixed families. And because the teaching of Holocaust history has a moral and ethical content, it has the capacity to turn children's heads.

"I am Jewish but my husband is not. Recently, a certain Jewish woman suggested that my children should wear badges to show that they are not marriageable. That is precisely the sort of thing that the Nazis did to the Jews in Germany and it is precisely the sort of thing we need to avoid. The racial exclusion of Jews by Jews simply defeats the object."

Steve Boggan

The Holocaust heritage

Every day brings new facts about the Final Solution. Antony Lerman asks how much we need to know

It won't be this year or next, but before too long, the survivors of the Nazi Holocaust will all be dead. The living memory of the tragedy will be extinguished, and a priceless link between past and present finally severed. The inexorable transition from memory to history will be complete - or will it?

Such a transition is the inevitable fate of every historical event, but there are few signs of it happening to the Holocaust. Quite the opposite. The Holocaust is unfinished business.

There is an acceleration in the pace of historical research and writing. New campaigns to settle accounts - legal, political, financial - have a harder, more urgent edge. Controversies over the siting and erection of memorials and museums touch the deepest sensitivities. The political and moral repercussions hang thick in the air as if the past is a dimension of the present, but one that we cannot physically touch or see. The presence of the Holocaust in popular culture is ubiquitous. Far from being an event which was so unique as to be practically outside of human history, it has become part of daily life.

The expansion of historical scholarship has been stimulated by the new information emerging in huge quantities of documents from archives in the former Soviet Union and Eastern Europe, which were closed to Western scholars before the collapse of communism. This in turn has fuelled a reassessment of studies completed before 1989, with historians and investigative journalists examining the roles of individual, corporate and state actors in the tragedy whose actions had not come under the spotlight before now. The revelations that significant numbers of officers with Jewish backgrounds served in the German armed forces stems directly from this new approach to Holocaust history.

From the 1960s and the Eichmann trial, as the Holocaust entered the public consciousness in a big way, it became a subject for film-makers, producers of documentaries, novelists, poets and even television mini-series. This cultural production has continued to grow, again encouraged by the collapse of communism and the willingness of people in former communist states to confront this aspect of their past.

Further, many survivors were reluctant to speak about their experiences in the first decades after the war. But as the Holocaust has become an integral part of our culture, and as those survivors come nearer to the ends of their lives, there has been an outpouring of memoirs and accounts. A fourth reason is that the Holocaust remains an issue of immense political and cultural significance in Germany today, with different groups defining themselves according to the part they believe the Holocaust should play in determining Germany's future path.

But most significant is the deliberate effort, during the past three decades, to place the Holocaust at the centre of the key historical, moral and legal problem of our age, and the central issue of Jewish life. Much of this effort, quite naturally, has come from Jews and Jewish organisations, but by no means all.

For many years, Jews were reluctant to locate the Holocaust at the centre of their communal concerns. But in the post-war years new leaders emerged, too young to have experienced the Holocaust, for whom the Holocaust became a powerful motivating force. They saw that, as time passed, it would be impossible to call the world to account for the crimes committed or to record survivors' accounts of what happened.

This effort produced extensive results; among them were new laws to prosecute suspected Nazi war criminals in some Western countries, the establishment of the US National Holocaust Memorial Museum in Washington, an international campaign to secure compensation for stolen

Jewish property in Eastern Europe, the building of countless memorials in synagogues, community centres, towns and villages. And most recently the international campaign to recover the assets of Holocaust victims held in Swiss banks.

The consequences of all this are not wholly welcome. Since much Holocaust-related activity has developed a momentum and logic of its own, that might be expected. But it applies also to the conscious attempt to shape public memory and influence political action.

For example, as a quest for justice, the campaign against the Swiss banks and the effort to obtain compensation for stolen property in Eastern Europe cannot be faulted, but if, in the process, the image of the Holocaust changes from that of a moral issue to one of gold, property and cash, the consequences will be damaging. The Holocaust continues to shape the political outlook of significant sectors of the Israeli right on Middle East peace, Israel's relations with the world at large and relations with the Jewish diaspora. That is deeply worrying. It fosters an attitude of mind which sees every concession or compromise as the breeding ground for another Holocaust.

Finally, placed at the centre of Jewish communal concerns, the Holocaust has had a powerful but in many ways negative impact on the shaping of modern Jewish identity. That Jews should learn about this aspect of their history goes without saying, but that it should become the principal reason to be Jewish makes little sense. The enduring quality of an identity derived from the glorification of one's status as a victim hardly bears thinking about.

What distinguishes these negative consequences is that they are the product of deliberate policy choices and consciously adopted attitudes, grounded in a narrow and philosophically bankrupt view of how to secure the Jewish future - a view epitomised by the utterly unacceptable, though sadly too common, notion of Jewish assimilation as a second or silent Holocaust. But since the choices and attitudes are made on earth, they can and should be altered, however difficult that may be. And the difficulty is compounded when the Holocaust is used as a justification for action, because its effect - often deliberately engineered - is to prevent debate and de-legitimise dissenting voices.

In effect, along with growing attention and the delayed transition from memory to history, there is a hardening trend towards politicisation. Left unchallenged, it will undermine the continuing and very necessary process of embedding the Holocaust in public memory.

Antony Lerman is executive director of the Institute for Jewish Policy Research.

was in this unassuming, unchanged and picturesque spot that the filming for the recent TV adaptation of Jane Austen's little-known novel *Risby and Risk* had taken place.

Much of the exterior filming for this very successful realisation had been done outside the house belonging to Colonel Sands, who, as his rank suggests, had been in the army and gave people to understand that he had seen much exciting action, though as he had been in the catering corps, the excitement had been generally limited to the thrill of supplying bread for the men on time and withdrawing broccoli soup when it had proved unpopular. He had been out of the army some little while, but had taken his rank with him when he left, and had indeed even carefully improved the rank as time went by, for he had been no more than a major when he left, and was now a colonel and he very much hoped to become a general if he should ever move house again.

"I am going to the shop," the Colonel called to his wife

Susan one morning in May. "My dear, there are some people outside the house taking photographs. Perhaps you should wait a moment."

"I'll give them and their blasted photographs!" said the Colonel. Yet despite his strong words, he stayed tamely inside the house and peered through the curtains until the strangers had gone.

"We cannot complain," said Mrs Sands, coming downstairs. She paused at a window where she noticed a vase of anemones looking a little underwatered, gave them a brisk box on the ears (for she was more military by inclination than her husband) and passed briskly on. "We made a lot of money from the TV company for the use of our house in the film, and we cannot complain if viewers come to gawp at it. It is not as if they try to break into the house and take souvenirs or ask for a cup of water."

"I am sure you are right, my dear," said Colonel Sands, who had indeed answered a knock on the door the previous day and charged the TV pilgrim 10p for a glass of water, for which he now felt

slightly ashamed. "It is just that it seems to go on and on. Just when we think it will all die down, the TV company repeats the blessed film. Or *Country Life* does a feature called 'The Village in the heart of Austen Country'. And everyone comes flocking again. I wish to high heaven we had never been involved. I certainly hope we will never be involved again."

"Then you will be pleased to hear that the danger has been averted," said his wife. "I'm sorry?" said her uncomprehending husband.

"According to the local paper, a TV company intends to make a new comedy series called *Period Pains*. This comedy is set in a picturesque village which is fed up to the back teeth with being used as a period setting, somewhere like Castle Combe."

"Or us," said her husband. "Very like us," said Mrs Sands. "It is indeed based on us. It is based on many of the things which happened to us. Like the time the korymbing manure overturned, and the village stank for three days. Or the runaway reindeer. Or

the time they put back the wrong TV dishes on the wrong houses..."

"Yes, yes," said the Colonel testily. "So they're making a film about a village like us which is always being plagued by film companies, and they are coming here to film this comedy, are they?"

"No," said his wife. "They are going to Lower Ashby. 'Lower Ashby?' said the Colonel aghast. 'Lower Ashby? They can't do that!'"

Lower Ashby was a nearby village, smaller but equally picturesque, and, if the truth be known, more unspoilt.

"Oh, but they are," said his wife. "Lower Ashby is going to play the part of us. I thought you'd be pleased. I know how fed up you are with us being Location-in-the-Wold, as you so wittily call it."

"Lower Ashby?" repeated the Colonel, as if it were a mantra. "I cannot believe it! It must not happen."

An extract from *'Art and Adaptability'*, a new Jane Austen-style novel by the author of *Tact and Turbidity*, *Ink and Illegibility*, etc, and soon to be a major TV success.

The period pains of Location-in-the-Wold



Miles Kingston

There was a spirit of unrest abroad in the small Cotswold village of Steeply Netherby, and this was a most untoward thing, for until very recently Steeply Netherby had been marked by a contentment which almost bordered on self-satisfaction. Not to put too fine a point on it, Steeply Netherby had become famous. There may have been people in the village who were unaware of the recent fame, but there could not be many. For it

was in this unassuming, unchanged and picturesque spot that the filming for the recent TV adaptation of Jane Austen's little-known novel *Risby and Risk* had taken place.

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BUSINESS & CITY EDITOR: JEREMY WARNER

Racal shares shed 18% on warning

Chris Godsmark
Business Correspondent

Racal Electronics will this morning attempt to regain the confidence of investors after an unexpected profits warning by the defence and telecommunications group yesterday sent its shares plunging by more than 18 per cent.

The news, which stunned City analysts, wiped more than £125m off Racal's stock market value, ending a dire few months in which the company lost out to British Telecom in a £1bn contract bid to replace the armed forces' telephone network and learned of further delays to another programme to replace British Army mobile radios. The shares ended the day 50p lower at 225p.

In a statement to the Stock Exchange, Racal warned that its pre-tax profits for this year were likely to be £20m less than analysts had expected, at around £50m. This represents a drop of 29 per cent from the profits already reported for last year of £70.4m.

Racal also surprised analysts by bringing forward the announcement of its results for the first six months of this year from Thursday to today. The statement said the results were expected to show profits of £21m after a previously announced ex-

ceptional charge of £10m for the restructuring of the Data Group subsidiary.

The announcement blamed a "significant reduction" in orders from the group's Radio Communications division, which makes a range of mobile radio systems sold to military forces around the world.

The difficulties were likely to reduce the radio arm's sales this year by £30m, compared with last year's £161m, pushing the business into the red. Of the £20m drop in profits, the radio division would account for £15m, with a further £5m of the company described as "bits and pieces, though nothing serious".

Senior directors, led by chief executive David Elsbury, met last Friday for a regular monthly board meeting where continued problems with the progress of the radio arm came to a head.

Mr Elsbury said yesterday: "There are slippages in three major orders, one with the UK government, one with the Middle East and one in Latin America. We haven't lost the orders but we could see them slipping. We decided, I think correctly, to act prudently and inform the City."

However, the statement left analysts perplexed. One said: "Selling military radios isn't like running Marks & Spencers.

Orders for these products are booked at least a year or 18 months in advance. So why did it take so long for the board to learn about this?"

Mr Elsbury insisted he was happy with the way the radio arm was run, but blamed its continued decline on world-wide defence cutbacks. "We are in total control of our forecasting but lead times in military radios are three years," he said.

The division makes the Jaguar battlefield radio which has proved popular with many armed forces around the world and has notched up sales of some £400m since its introduction in the early 1980s. But in recent years Racal has faced fierce competition from larger defence electronics suppliers such as GEC of the UK and Thomson CSF from France.

The company is currently reviewing the Radio Communications business's long-term future, though these further delays to normally lucrative military contracts could put a question mark over its survival as a major part of the group.

Another problem has been the UK government's repeated slippage to a £2bn order to replace the Army's battlefield radio network. An announcement on the contract has been delayed from 1997 to 1999.

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Better than expected: In spite of falling profits at Center Parcs, Brian Stewart denied the division was up for sale as overall profits rose at S&N

Scottish & Newcastle to roll out themed pubs

Nigel Cope

Scottish & Newcastle, Britain's largest brewer, is planning an aggressive expansion of some of its branded pubs and restaurants to take advantage of the growing popularity of themed bars and bistros.

The group plans to promote its Chef & Brewer chain as

upmarket pub-restaurants and develop 35 outlets by the end of this year with a target of 150.

The Barras & Co community pubs will also be rolled out over the next two years after successful trials in the North and South-east. There are currently 24 of these bars with 10 more planned by the end of the year.

Scottish & Newcastle made

the announcement yesterday, as it unveiled better-than-expected results for the six months to 27 October. Pre-tax profits rose by 26 per cent to £195m boosted by strong performances from the brewing division Scottish

Courage. The figures, which included a full contribution from last year's Courage acquisition, were supported by improved

margins on the group's main brands such as John Smith's, Theakston's and McEwans.

Scottish & Newcastle's figures were achieved in spite of another poor performance at Center Parcs where profits fell from £171m to £164m. Management said consumer confidence was improving in some countries such as Germany

which was helping bookings. Brian Stewart, chief executive, denied the division was for sale but said: "Everything is for sale at a price."

Scottish & Newcastle's group sales were 24 per cent higher at £1.66bn in the period. The shares reacted positively, rising 22p to 661p.

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Sears to raise cash through Freemans sale

Patrick Toohy

Sears, the sprawling retail group, yesterday confirmed it was in early-stage talks with several parties to sell Freemans, Britain's third-largest mail order business, in a move that could pave the way for surplus cash to be returned to long-suffering shareholders.

"If there is an opportunity for Sears to sell Freemans or collaborate with a third party, then clearly it is something we will consider," Liam Strong, Sears' chief executive, said.

The talks, described by Mr Strong as being preliminary and "exploratory", are understood to be with all of Freemans' main rivals in the mail-order business. These include Great Universal Stores, the market leader and Littlewoods.

"Sears has believed for some time that consolidation within the mail-order market would result in benefits for customers, suppliers and industry participants," Mr Strong continued, adding that a further announcement would be made if anything emerged from the preliminary discussions.

Offers for Freemans, which made profits of £38m on sales of £531m in the year to January 1996, are thought to be in the £350m region.

News that Sears is cash-raising talks will also encourage hopes that it is serious about paying back a substantial amount of money to its shareholders, possibly in the form of a special dividend.

Last month, after Sears raised £80m from the sale of the St Enoch shopping centre in



Reviewing options: Liam Strong wants cash returned

Glasgow, Mr Strong said: "In the light of the group's cash resources, the board will be reviewing options available for returning any surplus cash to shareholders."

However, news of the Freeman talks failed to impress the City, and the shares closed 0.5p lower at 92.5p.

Freemans operates at the agency end of the mail-order business, where agents receive commission on sales. Analysts say this business is in long-term decline as the direct-mail order market expands.

Mr Strong has been under renewed pressure to placate shareholders since September when Sears revealed interim profits had collapsed from £20m to just £2.5m after taking a £25m provision against exposure to shoe shops sold to Stephen Hinchliffe's failed Facia group. Apart from Selfridges, the flagship London department store, all other divisions reported lower profits.

Emap's dissident directors voted out

Nigel Cope

The long-running boardroom bust-up at Emap, the media group, finally drew to an untidy close yesterday when shareholders voted overwhelmingly to oust two "dissident" non-executive directors who had contested changes to the company's articles of association.

However, the dispute remained a bitter one to the end with the two-and-a-half hour emergency general meeting in central London marred by personal insults and ill-temper.

Sir John Hoskyns, Emap's chairman and Robin Miller,

chief executive, were variously accused by shareholders of "dubious standards", "unethical behaviour" and of conducting personal vendettas. Mr Miller, who maintained a silence throughout, was accused of being "power seeking".

Their behaviour was compared to that of Boris Yeltsin's removal of dissenting voices from his cabinet.

The two directors, Professor Ken Simmonds and Joe Cooke, were eventually outvoted by a majority of three to one by a show of hands. When Anne Simpson of Pirc, the corporate governance lobby group, called for a

poll, including proxies, it showed 109 million votes in favour of the pair's removal while 12 million voted against. There are 207 million shares in issue.

Sir John Hoskyns told the meeting that the breakdown in relations between the board and the two dissidents was irreparable and that their removal would end the row which has cast a cloud over Emap's share price. "I am confident that with these two resolutions passed, the board will be fully united and ready to give full attention to your company's business."

The row centred on a change of articles approved by an annual meeting in July. These re-

moved a provision to retain at least five non-executive directors and enabled a director to be ousted if three-quarters of the board voted in favour.

At yesterday's meeting, which was attended by more than 100 shareholders, both Professor Simmonds and Mr Cooke delivered lengthy statements on their objections to the changes. Professor Simmonds said non-executives should have an overriding responsibility to speak out when it was in shareholders' interests. He warned that the board should not fall under the control of any one person. Quot-

ing philosopher Sir Edmund Burke, he said: "For evil to triumph it only requires enough good men to do nothing."

He claimed the dissidents' struggle was a "David and Goliath" affair with himself and Mr Cooke pitched against Emap's "well-oiled PR machine". He said the board should address the succession question as Sir John is due to step down as chairman in 1998 and appoint non-executive directors who were not executive directors of other companies.

Mr Cooke accused Sir John and Mr Miller of conducting the corporate equivalent of a three

line whip to get the board to agree the article changes. Mr Cooke closed by saying: "The chairman and chief executive who pushed through these changes should not be left in charge of Emap much longer."

After both rebel directors had been tackled by shareholders for harking too long over their statements Anne Simpson of Pirc called for a poll and said: "It's very sad what has happened at Emap. But the good thing is that the decision is being made by shareholders."

Emap shares closed 5p higher at 735p.

Comment, page 19

Courtaulds Textiles sells last spinning mills

Chris Godsmark
Business Correspondent

Another chapter in the long shake-out of the British textile trade came to a close yesterday when Courtaulds Textiles sold the last of its spinning mills.

Courtaulds Textiles, the business formed after the Courtaulds empire split its chemicals and clothing businesses in a demerger six years ago, is selling the two mills in Bolton and Oldham to Shiloh, a long-established quoted textiles and healthcare company also based in Oldham.

The deal marks the end of a dramatic decline in Courtaulds' yarn spinning businesses, which as recently as 1988 employed 5,500 people in more than 30 mills in the UK. Earlier this year it closed two other mills in Altherton, Manchester and

Wolfeenden in Bolton, which together employed 300 people.

Just 500 jobs are left in the two remaining mills, and last night Edmund Gartside, chairman of Shiloh, said these would be secured as a result of the sale.

"We've not bought it to cannibalise it, we've bought it to run it. We're very committed to the business and it's complementary to our existing operations," he said. It will make Shiloh the largest cotton spinner in the UK with annual sales of £35m.

Stuart Banks, chief executive of Courtaulds Spinning, will also transfer to Shiloh. He said: "It's obviously sad for Courtaulds but it's a very exciting day for the employees."

The Swan Lane Mill in Bolton is one of the largest in Britain, with 460,000 square feet of factory space organised

on six floors. It was once part of a complex of three mills, which still dominate the surrounding skyline, though the other two were closed long ago.

Shiloh is paying just over £4m for the mills which Courtaulds pointed out had an asset value of £6m. They made profits last year of £800,000 and are on course this year to increase this to £1m. Courtaulds bought Swan Lane in 1974 and has invested heavily there in the past 10 years, spending around £5m in new computerised machinery in 1989.

However under the leadership of Martin Taylor, now chief executive of Barclays Bank, the Textiles business turned its sights towards the clothing business. It is now a large supplier of underwear to Marks and Spencer.

Michael Harrison

The introduction of full competition into the domestic electricity market is to be delayed for at least six months after an intense lobbying campaign by the industry.

The delay means that Britain's 23 million domestic electricity consumers will not all be able to shop around among different suppliers until the autumn of 1998 and perhaps even later.

Professor Stephen Littlechild, the industry regulator, announced yesterday that competition would be phased in from 1 April, 1998 based on postal codes. Initially, only 10 per cent of customers will be allowed to switch supplier when the market is liberalised.

A further 15 per cent of households or some 3.5 million customers nationally will be able

to shop around from the end of May. A third phase of liberalisation, covering another 25 per cent of customers, will be phased in towards the end of July.

But the remaining 50 per cent of the market - accounting for more than 11 million households - will not be able to switch suppliers until mid-September.

The regional electricity companies (RECs) had proposed that the changeover be phased in over 18 months because of the huge logistical and technological problems posed by giving 23 million customers commercial freedom from day one.

Professor Littlechild has rejected this but he also said it would be necessary to monitor the situation closely. "If any significant problems arise it would be possible to delay or reduce the size of subsequent phases."

The first phase of liberalisation

covering an initial 2 million customers will include all non-domestic consumers in the below 100 kilowatt market such as retailers and small businesses, those with half-hourly metering and those with multiple sites.

Eastern Group, Britain's biggest electricity distributor with 3 million customers, said: "We are pleased with the controlled market start up, the method of using post codes and the inclusion of all small businesses within the first phase."

Brian Staples, chief executive of United Utilities, the electricity and water supplier for the North-west, has put the costs of preparing the market for liberalisation at £1bn. The company is spearheading a campaign to persuade Professor Littlechild to take these costs into account in setting his next set of price controls.

Two ex-MTM bosses convicted of fraud

Jill Treanor

Two former executives of MTM, once the UK's second-biggest fine chemicals firm, were convicted yesterday at the Old Bailey on fraud charges brought by the Serious Fraud Office and the North Yorkshire Police Fraud Squad.

Richard Lines, 60, former chairman and a founder of MTM, was convicted of two offences of conspiring to account falsely and one offence of making misleading, false or deceptive statements.

Thomas Baxter, 45, the com-

pany's former finance director, was convicted of one count of conspiracy to account falsely and another of making misleading, false or deceptive statements.

He was acquitted on a further account of conspiring to account falsely. Sentencing was deferred.

During the trial, which started in June, Vivian Robinson, for the SFO said: "Lines and Baxter, assisted by others, cooked the books in order to give the impression that the company was a good deal more profitable than it was, in fact, the case."

STOCK MARKETS					
Index	Close	Day's change	Change (%)	1996 High	1996 Low
FTSE 100	4038.90	-19.50	-0.5	4073.10	3632.30
FTSE 250	3414.80	-13.70	-0.4	3468.60	3015.30
FTSE 350	2005.20	-9.00	-0.4	2022.10	1816.60
FTSE SmallCap	2159.90	-1.60	-0.1	2244.36	1954.06
FTSE All-Share	1976.89	-9.28	-0.4	1994.54	1791.95
New York	6481.83	-39.87	-0.6	6547.79	5032.94
Tokyo	20674.69	-345.67	-1.6	22666.80	19734.70
Hong Kong	13517.56	+123.63	+0.9	13530.95	10204.87
Frankfurt	2858.60	+13.08	+0.5	2854.60	2263.36

Source: FT Information

INTEREST RATES					
Short sterling	UK medium gilt	US long bond	3 Month	6 Month	12 Month
5.50	6.50	6.50	5.50	6.50	6.50
5.50	6.50	6.50	5.50	6.50	6.50
5.50	6.50	6.50	5.50	6.50	6.50
5.50	6.50	6.50	5.50	6.50	6.50
5.50	6.50	6.50	5.50	6.50	6.50

CURRENCIES					
£/\$	£/DM	£/¥	£/A\$	£/NZ\$	£/HK\$
1.5345	1.5345	1.5345	1.5345	1.5345	1.5345
1.5345	1.5345	1.5345	1.5345	1.5345	1.5345
1.5345	1.5345	1.5345	1.5345	1.5345	1.5345
1.5345	1.5345	1.5345	1.5345	1.5345	1.5345
1.5345	1.5345	1.5345	1.5345	1.5345	1.5345

OTHER INDICATORS					
Index	Value	Change	Year Ago	Index	Value
DAX	220.13	-0.93	251.91	DAX	220.13
Gold	370.85	-0.80	386.30	Gold	370.85
Oil	22.00	+0.12	17.38	Oil	22.00
Base Rates	6.00pc	6.75	6.75	Base Rates	6.00pc

مكتبة الامم



COMMENT

For most homebuyers, real prices are a rather pointless, theoretical notion. What matters, especially to those with negative equity, is how much bigger their actual house price is than the mortgage.

Housing market in danger of bouncing too high

So much for all that guff about how the last recession taught us all a jolly good lesson about the perils of investing in housing. It is now clear beyond any doubt that a new housing boom is under way. What is more, it has the Government cheering it on from the sidelines, in the vain hope that voters will see it as evidence of an economy well managed. In fact it was always likely to be the case that the longer the fall in house prices continued, the bigger the bounce was going to be, just as in any other market. The hardest question to answer over the last three years has been just when that bounce will actually happen.

The evidence is now accumulating that we have at last reached the turning point and that prices are now rising with a momentum that risks getting out of control. One of the best ways to see this is to look at real house prices, after adjusting for inflation.

It is true that, for most homebuyers, real prices are a rather pointless theoretical notion. What matters, especially to those with negative equity, is how much bigger their house price is than the mortgage. But in fact real prices have proved a rather better guide to the market than nominal prices. Over the last quarter-century, real house prices have shown several periods of sustained decline. In the 1970s these were bigger than any in the latest recession, though they did not persist for as long.

The interesting point is how quickly after previous price collapses the market recov-

ered its momentum. All it took were a few quarters of steady real increases and housing market turnover took off again.

Data from building societies has been showing small and faltering annual rises for three years, in nominal terms, which has led to much confusion about trends. But with the exception of one quarter at the end of 1994, the more significant measure of real house price inflation has been consistently negative since 1989 – until the last few months that is, when suddenly it became sharply and convincingly positive.

With house prices rising at an annual 7-8 per cent this autumn and inflation under 3 per cent, it is at last possible to point to a genuine change in the market. Unfortunately, the house price take-off is not a phenomenon that can be dealt with by the odd quarter-point rise in mortgage rates. It takes a lot to change human nature; the last recession was nowhere near enough.

Who is running the Rascal hotch-potch?

Rascal has demerged so much of its vital innards over the years (Vodafone, Chubb), delivering huge amounts of value to shareholders in the process, that it really shouldn't come as much of a surprise that what remains is, well, a bit of a hotch-potch of unwanted left-overs. Final confirmation of this uncomfortable truth came yesterday

with a quite disastrous profits warning from the Rascal group. Profits for the full year are not going to be just a few mill below what the stock market was expecting. In fact they are going to be £20m less and the interims are being rushed forward to clarify the position.

The main problem appears to be in the military radio division, where expected orders have been slow to come through. However, it is hard to see how this can explain the full extent of the damage, since such orders are generally very long term and the profits that flow from them therefore easy to predict.

Tough rules exist these days to prevent companies passing down stock market expectations in the way they once did by drip-feeding the bad news over a period of time. These days, all the bad news has to be released in one, humiliating go by way of a publicly announced trading statement. But this doesn't really explain the problem either. The extent of the shortfall seems to have been as much of a shock to directors as it was the stock market.

It is hard to resist the impression of a company not properly in control of its affairs or reporting structures. That may be unfair, but directors still have a lot of explaining to do whatever the truth. There are still lots of "good bits" within Rascal, as well as some good stories to tell about them, but there doesn't seem to be much of a strategy to connect and unify them.

Perhaps, in the end, this doesn't much

matter in a company like Rascal. Its investment appeal was always as one of that lucky breed of companies which every now and again, seemingly by chance, stumbles across a gold mine – Vodafone being the most spectacular example.

But just how many times is it possible to win the National Lottery, investors will be asking themselves.

Emap kicks itself in the teeth

In the end it was inevitable that the Emap board would have to go. But in parting company with its dissident non-executive directors, Professor Ken Simmonds and Joe Cooke, Emap has neither enhanced its own reputation nor struck a blow for better corporate governance.

What began as a spat over proposed changes in the company's articles of association quickly degenerated into a full-blown and very public row over the way Sir John Hoskyns chairs the Emap board from which no one emerges with much credit.

The dissidents were made to look small-minded and obsessive – witness their belligerent and personalised attacks on the Emap top brass during yesterday's extraordinary meeting.

On the other hand Sir John and his fellow directors come over as a rather snuggly bunch who pay lip service to shareholder

democracy only when it suits them. The fact that they actually bothered to hold an egm yesterday to dispense with Mr Cooke and Professor Simmonds when the changes in the company's articles which originally sparked the row rendered such a meeting unnecessary is neither here nor there.

The power of the proxy has crushed many a small shareholder revolt and it was on display again yesterday at the Connaught Rooms in London, scene to Emap's meeting. It is a safe bet that Emap would not have held an egm if there was any danger of losing the vote.

It is important to remember why the changes in the articles (they were passed at last July's agm) were so objectionable to the two dissidents. Emap has removed the requirement for there to be no fewer than five non-executives and given its board the power to remove a fellow director by a 75 per cent vote.

Notwithstanding what Emap says, this is not in line with current practice. In fact Emap is distinctly in the minority. Nor, as has been suggested, is it a means of preventing shareholder interests from being abused by a dominating chairman. Such creatures tend to fill boardrooms with placemen. In fact the effect of the changes is to make it easier to stifle dissent and harder to keep rogue executives in check.

Between now and his retirement in 1998 Sir John has a duty to set up adequate safeguards to prevent this from ever happening.

City to examine BZW cash route

Peter Rodgers
Financial Editor

Institutions said yesterday that they had agreed to participate in a detailed examination of a new technique for raising capital for companies, following a meeting at BZW last Friday.

BZW put forward a proposal aimed at resolving a dispute in the City about the future of shareholders' pre-emption rights which could also help fend off a threatened monopolies inquiry into the City's charges for capital-raising.

Richard Regan of the Association of British Insurers, called the meeting "constructive and productive". The institution is to examine the proposal in more detail in a working group with BZW. The meeting included representatives of the National Association of Pension Funds.

BZW told the institutions that it was possible with its new proposals to sell shares through a book-building exercise while preserving the pre-emption right of existing shareholders to first refusal of new shares, pro rata to their existing holdings.

Book-building is an American import in which shares are marketed directly to all potential buyers, not just existing shareholders. Until now it has been seen as a direct attack on the British system of rights issues because under a book-building exercise existing shareholders receive no special treatment. The two methods were seen as mutually exclusive.

Although the debate is about a technicality of corporate finance, it has split the City down the middle. Integrated investment banks want to use book-building much more extensively. But traditional merchant banks and most investing institutions have regarded book-building as a way of undermining their pre-emption rights, and they claim it also brings much bigger fees to advisers.

However, there appear to be several unanswered questions about BZW's plans, including the impact on small shareholders and the size of the fees that would be charged to companies. Another important technicality that the institutions want resolved is how trading in nil-paid rights would be preserved. Under the traditional system, the right to subscribe to an issue can have a value of its own that can be bought and sold without actually subscribing for the shares.

Industry leaders fear soaring pound will lead to higher rates

Yvette Cooper
and Michael Harrison

Industry leaders yesterday voiced renewed concern over the strength of sterling as the pound rose to its highest level for 34 months amid speculation that the Chancellor, Kenneth Clarke, will have to raise interest rates again soon.

Meanwhile new economic data released yesterday provided further support for the view that the markets that base rates are set to go up with both money supply and demand for manufactured consumer goods growing strongly in November.

Both the money supply and the demand for manufactured consumer goods grew strongly again in November, showing that the consumer boom is continuing to swell and putting pressure on Kenneth Clarke to

make a pre-emptive strike against inflationary pressures.

Sterling briefly passed the DM2.60 level before falling back slightly to DM2.5975 – still its strongest showing since February 1994. Meanwhile it rose by 0.5 to 94.5 on the trade-weighted index.

The Confederation of British Industry said: "The message increasingly coming back from our members is that the strength of the pound is very worrying and will increasingly jeopardise our export competitiveness."

Alan Ambridge, chief economist at the Engineering Employers' Association, said: "Clearly sterling's appreciation is going to make life harder in export markets. Manufacturers like the competitive edge that a lower currency brings and any appreciation in the pound will hurt."

He said, however, that it was too early to say whether the level of new orders was being affected while many exporters were already well-hedged against the stronger pound.

In the markets there seemed little end in sight to the pound's surge.

"Everybody loves sterling," said Joe Prendergast, currency strategist at Merrill Lynch. Speculators are betting that Mr Clarke will have to raise interest rates soon because economic growth and inflationary pressures are rising.

The Chartered Institute of Purchasing and Supply (CIPS) reported in its latest survey yesterday that the stronger pound had dampened overseas demand for certain goods as export prices rise.

However, the stronger pound also makes it cheaper for man-

ufacturers to import components and raw materials – many of which are priced in dollars – thus helping to offset the effect on exports.

Despite the pressures on exporters, demand for British manufacturing in other areas remains strong. The Purchasing Managers' Index, produced by the CIPS to reflect the state of activity in the manufacturing sector, remained roughly stable at 54.4, compared with 54.5 in October.

Meanwhile, rising domestic demand is more than compensating for any squeeze on orders from abroad – particularly consumer demand. The CIPS index for output and new orders among manufacturers of consumer goods showed the sharpest rise of any sector.

Manufacturers of investment goods, on the other hand, saw

new orders (for new plant and machinery) slow considerably in November, reflecting continued business reluctance to invest.

Adam Cole of HSBC James Capel said the figures showed that "growth remains heavily skewed towards consumers rather than investment. Given that the Budget shifted the tax burden away from consumers and onto businesses, this is bad news for medium-term growth."

Figures from the Bank of England on the money supply reinforced the evidence of strong consumer spending. M0, which shows the amount of notes and coins in circulation, grew by 7.5 per cent in the year to November, up marginally on the 7.4 per cent in the year to October.

This is far above the Government's monitoring range for M0 of 0-4 per cent.

MAM plans payout for shareholders after £100m Mercury sale

Jill Treanor
Banking Correspondent

Mercury Asset Management, Britain's largest independent fund management group, is selling Mercury Bank, its Swiss private bank, for Sfr250m (£100m) to Republic National Bank of New York Suisse.

The sale will generate approximately £40m in cash for MAM as the deposits of Mercury Bank had been consolidated on MAM's balance sheet.

Stephen Zimmerman, deputy chairman of MAM, said the group was considering redistributing the proceeds of the sale to shareholders.

"We will be looking at ways, if we don't have use for the cash, to return it to shareholders," Mr Zimmerman said.

He said MAM would not know if it needed the cash until the time of its results in March. And before returning any

cash to shareholders the company would need clarification of the tax implications of share buy-backs and large dividends following the recent action taken by Kenneth Clarke, the Chancellor.

The decision to sell the private bank is part of MAM's strategy to concentrate on its core investment management business and its UK and Jersey-based international private client operations.

In addition, MAM will manage a "significant" pool of assets for Republic National, which specialises in private banking. It is 100 per cent owned by Safra Republic Holdings, which in turn is part of the Republic National Corporation Banking Group.

MAM will keep its representative office in Zurich, which markets mutual funds and investment services for institutional clients.

Ofgas under pressure to get tough on pushy independent salesmen

Chris Godsmark
Business Correspondent

Pressure was mounting last night on the gas industry watchdog, Ofgas, to introduce tough controls on doorstep sales tactics used by independent suppliers as they attempted to persuade households to switch from British Gas in competition trials due to start in the south of England.

Sue Slipman, the director of the Gas Consumers Council, yesterday called on Ofgas to intervene in a row between independent gas companies over a proposed voluntary code of conduct which would be policed by the industry. She said: "We keep coming across more instances of unacceptable practices. What we're saying to Ofgas is that if you get this wrong then you will be bringing competition into disrepute."

Ms Slipman has written to the Gas Shippers' Forum, the body which represents most independent suppliers, to complain about the code, which she says does not go far enough. A draft of the document arrived at the GCC's London headquarters on Friday afternoon with a reply demanded in just two hours. In recent weeks the GCC has



Sue Slipman: Says some sales tactics are unacceptable

received growing numbers of complaints from consumers in the two trial areas, Dorset and Kent and Sussex, Eastern Natural Gas, owned by Hanson, has dismissed one sales agent and suspended another after allegations they misled customers.

In the first competition trial, which began in the South-west of England in May, there has been complaints about the high pressure tactics used by Swet, the regional electricity company. Many consumers claimed they did not realise they had signed up to a formal supply contract after a doorstep sales visit.

Ofgas has attempted to distance itself from rows over marketing tactics, which it believes are the responsibility of the competition watchdog, the Office of Fair Trading. A spokesman said: "We just don't have the legal authority to do it."

The GCC says that "cold-calling" on the doorstep by a sales force can be acceptable as long as it is rigorously policed. Any code of conduct should include seven-day cooling-off periods for consumers and follow-up phone calls to confirm that customers understand what they have signed.

Bacon & Woodrow may limit liability

Peter Rodgers
Financial Editor

Bacon & Woodrow, the actuarial firm, is joining the large number of professional organisations which are looking at whether to drop their unlimited partnership status.

Following a weekend meeting of partners at which incorporation or a switch to a limited partnership in Jersey were among the options under discussion, Duncan Ferguson, senior partner, said: "I am sure we will limit our liability in due course."

Bacon & Woodrow, which has 45 partners and more than 1,000 staff, was prompted to search for ways of ending its unlimited liability partnership status by the shock of having to fight a £400m lawsuit. It is the fight of enormous actions for damages that has persuaded most of the accountancy firms to look for new limited ownership structures.

The lawsuit against Bacon & Woodrow was brought by NRG, the reinsurance subsidiary of ING, the Dutch banking group. Mr Ferguson said: "We had never been sued in 70 years until we had this rather large case."

NRG failed in its High Court attempt to obtain damages from

Bacon & Woodrow and the accountants Ernst & Young over the reinsurers' acquisition of Victory Reinsurance from Legal & General in 1990.

But Mr Ferguson confirmed the pressures of the case – which could have cost each partner millions if it had lost – had prompted the rethink about partnership status.

Mr Ferguson said a decision would not be taken until the combined legal and tax picture of limited liability partnerships was resolved and so a decision had been deferred.

The firm would not make the move in 1997, and because of the confusion it had decided to

be a follower rather than a leader.

Jersey recently changed its laws to encourage UK partnerships to switch to the island. The British Government has promised an on-shore equivalent to persuade them not to go, but the Inland Revenue has created a serious obstacle by threatening to tax limited partnerships as if they were incorporated.

A survey by Smith & Williamson group found that more than half of partnerships in the professions were considering limited partners' liability. The sample of 90 firms included solicitors and surveyors.

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business

Courage gives S&N a boost

THE INVESTMENT COLUMN

EDITED BY MAGNUS GRIMOND

With the beer industry braced for an imminent OFT decision on the proposed takeover of Carlsberg by Bass, Scottish & Newcastle yesterday kicked off a busy week for Britain's brewers with a better-than-expected set of half-year figures.

Pre-tax profits were 26 per cent higher at 195m, helped by a full six-month contribution from last year's Courage deal. But what impressed the market most was S&N's ability to grow earnings per share by 18 per cent in a year when one of its main businesses - Center Parcs - again turned in a poor performance. Profits there were down 25m, hit by the economic problems of northern Europe as well as one-off costs in the Benelux countries and £1m of redundancy charges.

S&N chief executive Brian Stewart denies that Center Parcs is a concept that has peaked and points to UK occupancy rates of 91 per cent and rising spend per head figures both in the UK and Europe. However, speculation continues that the business may be sold, although a float of the continental Center Parcs is another possibility.

The division which wrong-footed analysts was brewing, where the re-named Scottish Courage business

improved profits by a better-than-expected 67 per cent to £90m. S&N has been building margins rather than chasing sales with its stable of brands, which include Theakston's, John Smith's and McEwan's. Some £18m of costs have been taken out so far, with £45m planned for the full year.

With the economy improving in the South of England faster than in the North, management admits these results would not have looked as good without the Courage deal.

In retailing, S&N lags behind Whitbread in the development of themed pubs and restaurants. However, it is starting to motor with 35 Chef & Brewer pub-restaurants planned for this year and an eventual target of 150. Another format earmarked for roll-out is Barras & Co, the community pub brand started earlier this year.

With a forward price-earnings of 14, assuming full-year profits hit £380m, S&N shares are trading at a discount to rivals such as Whit-

bread and Bass, the latter of which reports later this week. S&N shares jumped 22p to 661p yesterday and would rise further if management can demonstrate that Center Parcs is on the mend. A strong hold.

Ascot head is worth backing

Ascot Holdings' pedigree is hardly of the sort to inspire confidence. Better known in its old guise as Control Securities, the one-time pubs to hotels group was formerly the vehicle of disgraced businessman Nazim Virani. Not content with its own colourful past, this summer Ascot paid £290m for Suter, the mini-conglomerate whose name is synonymous with that of its controversial chairman, David Abell.

But if anyone is going to help Ascot escape its history, it is chairman and chief executive Howard

Dyer, who is credited with turning round Hamleys, the toyshop group.

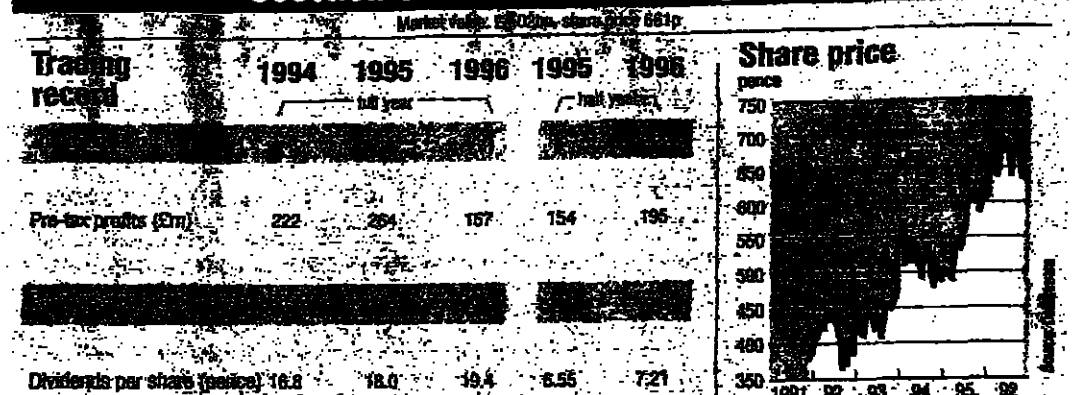
Mr Dyer is busy turning Ascot on its head, so yesterday's interim results showing pre-tax profits sliding from £8.8m to £1.2m in the six months to September are pretty meaningless as a guide to the future. The figures reflect a divestment programme which has seen the group raise over £200m from disposals since Mr Dyer's arrival in 1991. He expects to raise close to £40m more over the next two years from selling most of the former Control assets of pubs and other properties.

That will all be needed, as gearing has soared to 244 per cent since the Suter acquisition. But Mr Dyer is confident of paying that down easily within a two to three-year timetable mainly through the disposal of two of Suter's four divisions.

Specialist engineering will definitely be kept. The Searle refrigeration equipment business and Floform spark plug electrode operations both have strong market shares. Chemicals also looks safe.

That leaves the automotive arm and a rag-bag ranging from drills to beauty care mostly likely to be on the block early next year. Profits of £28m next year,

Scottish & Newcastle : at a glance



assuming no Suter disposals, would put the shares, up 1.5p to 326.5p, on a forward p/e ratio of 14. Worth backing the man, even if it may be a while before a clear picture of the business emerges.

BTG's patent potential

Shares in BTG, the old British Technology Group, have been among the best performers on the stock market in the last year, rising from a low of 700p to last night's £24.375p.

Ownership of potentially lucrative patents lies behind the shares rise. BTG patents whacky inventions and licences the intellectual property rights to big groups like Zeneca and SmithKline Beecham and biotech companies, including Peptide Therapeutics, and earns royalties in return.

BTG currently owns over 9,000 patents but the most exciting prospect is Torotrak, a fuel-saving variable transmission system developed in-house and licensed to nine vehicle manufacturers, including Ford and Toyota. Ultimately Torotrak could replace cars' gearbox system, making for a lighter, more fuel efficient system with fewer moving parts.

Japanese investment bank Yamachi reckons Torotrak could be worth up to £1bn, compared with BTG's current market value of £427m.

In the meantime, a final payment estimated at £2m for BTG's Pyrethrin crop protection insecticide allowed the group to post interim pre-tax profits of £170,000 versus a £2.1m loss a year ago, though BTG is cautious about whether it will remain in the black for the full year.

A proposed one-for-five share split should improve marketability. Yamachi's estimated net present value ranges from £400m to £3bn, implying a share price potential of up to £170. Interesting, but speculative.

Rank passes up Trump deal

Magnus Grimond

Rank, the Mecca bingo halls to Butlin's holidays group, yesterday pulled out of talks to invest \$50m (£30m) in Donald Trump's Castle casino in Atlantic City, New Jersey.

The plan, unveiled in October, was to redecorate the casino to give it the theme of the Hard Rock chain of hamburger restaurants, which Rank bought out entirely in a £270m deal in June. Rank's shares fell 9.5p to 425.5p yesterday.

Trump's Castle, part of the leisure empire which is spearheading a comeback for the eponymous former property tycoon, was to have been converted into a Hard Rock Casino Hotel, with the British group sharing in some of the profits. But Rank, where Andrew Teare, formerly of English China Clays, took the helm in April, said it now regarded the potential returns on the proposed investment as "inadequate".

A Rank spokeswoman said: "We explored the possibility of rebranding Trump Castle with Hard Rock branding, but having explored it fully, frankly the returns as we perceived it just weren't going to meet our criteria." She said there were no plans to reopen the talks.

Trump Hotels & Casino Resorts had earlier announced the termination of discussions in New York. The group said, however, that it retained exclusive, long-term restrictive covenants for themed restaurants, entertainment venues and casinos by Hard Rock Cafe International in the Atlantic City market. These "covenants" were included in the agreement which established the Hard Rock Cafe and merchandise store in the Trump Taj Mahal in Atlantic City. Other possible themes for Trump's Castle have been pursued, the company said. It refused to elaborate on what these were, but a decision is expected shortly.

IN BRIEF

• International equity placings rose to a record \$39.4bn (£23.4bn) in the first nine months of the year, up from \$22.4bn in the same period last year, the OECD said. The January to September total was unprecedented and evidence of bullish stock markets. It said in a report on financial market trends. The share of privatisations rose to \$8.5bn, from \$6.7bn a year earlier, representing 21.6 per cent of the total, after 29.9 per cent last year. The US accounted for \$5.5bn, up from \$4.4bn a year earlier. Sweden for \$4.1bn, up from \$400m, the UK for \$3.6bn, up from \$1.6bn, Italy for \$1.8bn, up from \$0.1bn, France for \$1.7bn, down from \$1.9bn and Germany for \$1.3bn, up from \$1.1bn.

• The Stock Exchange's Alternative Investment Market received a boost when the Inland Revenue announced a capital gains tax clearance scheme that should help make it more attractive to investors. In future, AIM companies will be able to approach the Inland Revenue for a ruling in advance on whether their shares will qualify for capital gains tax reinvestment relief. This relief allows investors to defer their CGT liabilities if they reinvest in a qualifying company. Until now there has been considerable uncertainty about whether individual AIM shares are eligible, mainly because ownership of a foreign subsidiary may disqualify a company's shares. This rule has been relaxed so companies qualify if the majority of their business is in the UK.

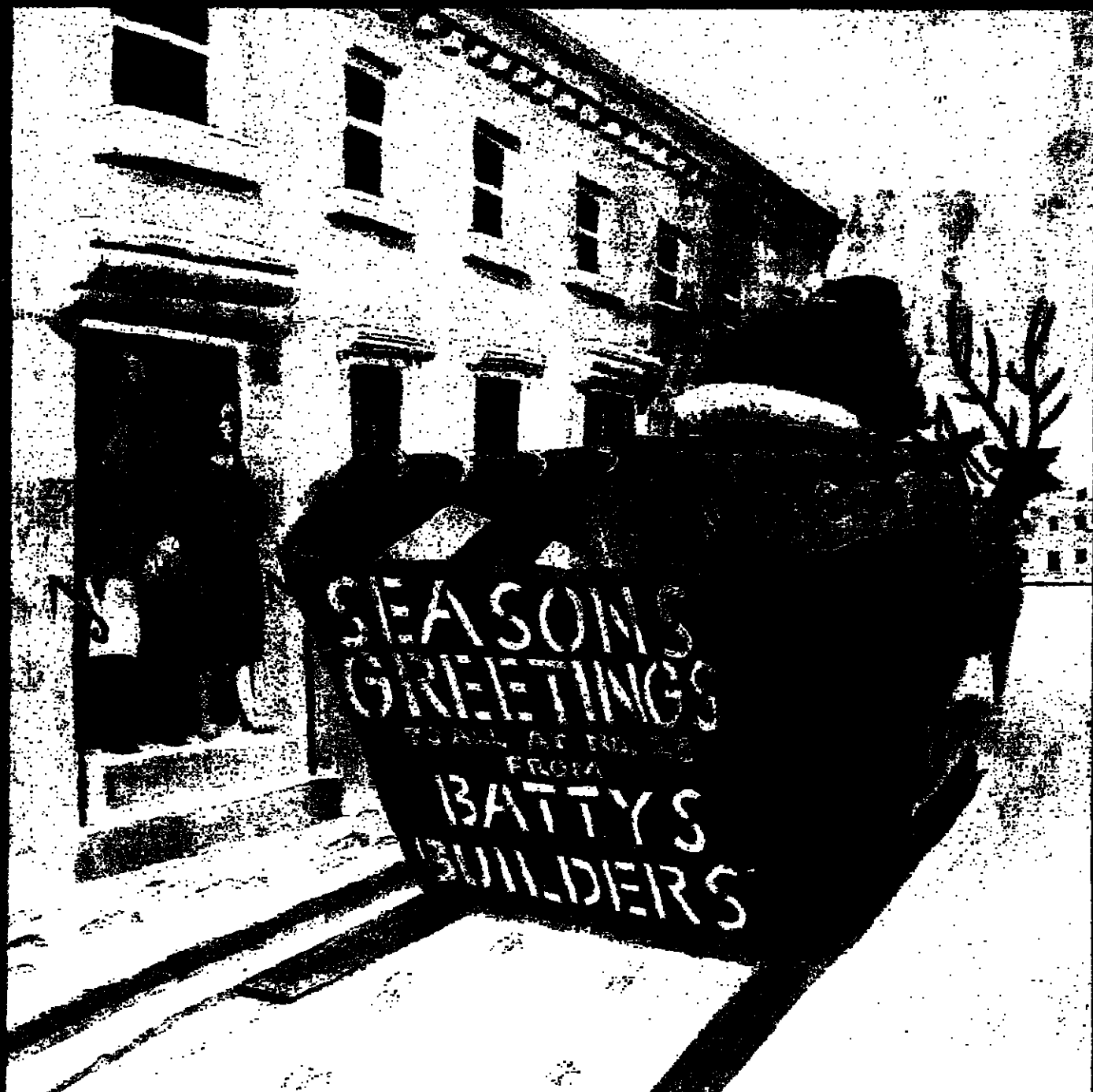
• UK Active Value, the fund which owns 9 per cent of Kenwood, said it would be happy to recommend a paper offer for the household appliances group from the much smaller Pifco, "assuming it was at an appropriate level". The fund was reacting to reports that Pifco was seeking to buy Kenwood, which has been under siege from rebel shareholders. UK Active Value has already called for an extraordinary general meeting on 16 December to consider seeking offers for the company.

• P&O Containers and Nedlloyd Lines have signed an agreement for a \$1bn (£595m) credit facility. It will provide finance for P&O Nedlloyd Container Line, which will be formed from the merger of the container businesses of The Peninsular and Oriental Steam Navigation and Royal Nedlloyd Group NV. "The facility will fund P&O Nedlloyd's initial borrowings and the company's working capital requirements," P&O Containers said.

• Paribas, a French bank, is moving its Spanish bond trading activities to London from Madrid although corporate bond business will continue to be run from the Spanish capital. The team of government bond and "repo" traders will report to Stefano Paschetto, co-head of European bond sales, who will co-ordinate the bank's sales activities in Italy, Spain and Portugal. "The move reflects the growing internationalisation of the Spanish market and an increasing interest by Paribas' overseas clients in Spain," the bank said.

Company Results

	Turnover £	Pre-tax £	EPS	Dividend
Acad (Q)	72.5m (61.8m)	4.85m (4.45m)	14.2p (13p)	3.1p (2.75p)
Alcan (Q)	71.1m (54.3m)	4.72m (3.8m)	8.77p (7.3p)	2.8p (2.5p)
Ascent Holdings (Q)	32.7m (33.3m)	1.2m (0.8m)	4.2p (31.5p)	nil (nil)
BTG (Q)	12.1m (8.8m)	0.17m (-0.10m)	0.03p (-21.48p)	nil (-)
BTI (Q)	200m (168m)	23.7m (21.0m)	9.51p (8.07p)	4.05p (3.85p)
Colson Group (Q)	10.5m (1.04m)	1.08m (-0.05m)	0.41p (-0.18p)	0.1p (-)
Corbion (Q)	54.2m (48.7m)	4.76m (4.43m)	6.75p (6.33p)	2p (-)
Ordnance (Q)	21.6m (21.4m)	0.38m (-3.3m)	0.52p (-4.8p)	- (-)
Orinoco (Q)	45.2m (40.5m)	3.6m (3.0m)	14.3p (11.7p)	5.6p (5p)
Rowthorn Sales (Q)	- (-)	1.46m (1.31m)	7.83p (6.82p)	0.21p (0.31p)
Scottish & Newcastle (Q)	1.68m (1.54m)	185m (155m)	24.3p (20.6p)	7.21p (6.55p)
Shelf (Q)	206m (172m)	26.2m (26.8m)	5.73p (4.89p)	2.15p (1.75p)
Silva Treasury (Q)	17.3m (8.6m)	0.70m (0.47m)	4.2p (3.5p)	2.1p (2p)
Tape Estates (Q)	- (-)	1.21m (0.80m)	1.80p (1.72p)	0.70p (-)
Toy Olfactory (Q)	30.3m (22.8m)	3.68m (1.89m)	12.33p (7.18p)	3.5p (-)
(Q) - Final (Q) - Interim (Q) - Current figures preliminary				



IT'S SIMPLER TO SEND A CARD.

If you run a small business and you'd like to say "Thank You" to your customers this Christmas, a card is the best way to get your message across.

It provides a nice personal touch that's warm and friendly without being over the top. And, unlike a business card which usually goes straight into the bottom of a drawer or

the waste-paper bin, your card will be a thoughtful reminder of your services right up to Twelfth Night.

Post your cards (using our colourful festive stamps) and

Royal Mail could help your company to have a more prosperous New Year.

A card makes everyone's Christmas.



صندوق من الاصل

market report / shares

Data Bank

FTSE 100
4038.5 -19.5

FTSE 250
4414.8 -13.7

FTSE 350
2005.2 -9.0

SEAQ VOLUME
553.6m shares,
36,991 bargains

Gilt Index
95.63 +0.26

Share spotlight

Share price index



Sterling performance by pound leaves Footsie wilting

Taking Stock

MARKET REPORT

DEREK PAIN

stock market reporter of the year



It was as if the fates conspired to ensure the stock market started the Christmas month in a decidedly miserable mood.

Fears of another base rate increase, underlined by Abbey National's move, an even more rampant sterling and a dull New York display were just three of the inhibiting influences.

The Rascal Electronics debacle, real and rumoured profit downgradings and a temptation to lock in some profits also gnawed at shares.

Footsie, in thin trading, ended 19.5 points lower at 4,038.5 points. Second- and third-liners also wilted.

The Abbey decision unsettled building and related shares as fears grew that higher mortgage rates could choke off the still hesitant housing revival.

But Abbey revelled in the change, gaining 12.5p to 70p, a high.

Glaxo Wellcome was one

under the whip of rumoured forecast cuts.

There was talk a leading US securities house had decided the shares were too high and deserved to be nearer 80p. It was enough to clip the price 8.5p to 97p.

Hanson, now moving into the final throes of its painful demerger, fell 2.5p to 71.5p as NatWest Securities stuck an 81p valuation on what remains of the once powerful conglomerate.

The reduction stemmed in part from lower values for building material shares here and in the US.

Storehouse found yet a new 12-month low as the Barclays de Zoete Wedd sell advice continued to weigh heavily. But NatWest remains bullish. It believes the growth of overseas franchise operations has been overlooked. The shares fell 5p to 186.5p. Burton gained 2.25p to 151p with MecaPier-

son suggesting an 180p target. Rascal fused 50p to 222p and Bertford International, the kitchens and bathrooms group, tumbled 9p to 135p with the mystery bidder backing away.

Courtaulds slipped 3p to 397p as the chemical group's Footsie place looked increasingly vulnerable. Pilkington, another likely Footsie casualty, managed a 3.5p gain to 152p, on hopes of lower German interest rates.

Scottish & Newcastle, the brewing group, was the best performing blue chip, gaining 22p to 661p as interim figures came in ahead of most expectations. Bass, year's figures to-morrow, rose 10.5p to 794p.

Utilities threw off the lethargy as takeover hopes flickered again. London Electricity rose 11.5p to 657.5p and Yorkshire 5.5p to 764p. There were also ripples in the water sector with Severn Trent up 6.5p to 660.5p.

Simple Cochrane, an engineering services group, could have chosen a better day to make its debut. In the event it still managed a healthy premium, closing at 218.5p from a 180p placing.

On Demand Information, an electronic publisher, managed an 8p gain to 47.5p as the company said it knew of no reason for the share price decline. The shares were around 140p two

months ago. Verson International, an engineer, which announced a near £5.8m loss late on Friday, fell 2.5p to 14p.

Club Partners International, a golf group, bunkered itself, falling 6p to 13.5p after disclosing it had received takeover bids at below the market price. The shares were 33p in the summer.

Wiggins, the property group, fell 0.75p to 7.25p. Chief executive Oliver Iry has made peace with his creditors over guarantees he gave over a failed property company which should remove fears he may be forced to dump shares.

Wiggins intends to announce its interim figures soon.

SR Gear, the Marks & Spencer clothing supplier, jumped 8p to 64.5p. The hard-pressed group disclosed it was in bid talks in October. The sudden flurry, with one deal of 25,000 shares going through at 67p just before the market

closed, could indicate a deal has been sewn up.

It is understood that more than possible buyer has been talking to the company which had to make a £14m write off on the closure of its Clothing Barn retail chain. The failure, the group's second retailing disaster, forced it into crisis talks with its bankers.

In the past year Gent's shares have been as high as 94p. They were floated through a tender off in 1984 - the strike price was 184p. Lamont, another textile group which has found the going tough, was 2.5p higher at 186.5p on vague talk of a Dutch bid. The shares have come down from 324p in the summer.

Kenwood Appliances, the kitchen equipment group, is another where a bidder hovers. The shares jumped 13.5p to 233.5p with Pico said to be the most likely bidder.

But CES accounts have still to be finalised and Ellis has asked that the "rogue notes" should be disregarded. CES shares held at 4.5p.

□ H Young, distributing such lines as Head sports clothes and Magic Tree air fresheners, is adding cycle parts. It is paying £6.86m for Madison, which sells cycle accessories.

As part of the deal, Young is raising £5.78m through a placing and an open offer on a one-for-three ratio at 116p. Young's profits last year were up 30 per cent at £2.6m and the enlarged group could hit £4m this year. The shares fell 6.5p to 125p.

□ Red faces at Ellis & Co. The stockbroker distributed four copies of a draft note on Corporate Executive Search, saying the company had achieved half-year turnover of £12.3m.

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Share Price Data

Prices are in sterling except where stated. The yield is last year's dividend, grossed up by 20 per cent, as a percentage of the share price. The price/earnings (P/E) ratio is the share price divided by last year's earnings per share, excluding exceptional items. Other details: 1 Ex rights 2 Ex dividend 3 Ex all 4 Unlisted Securities Market's Suspended 5 Partly Paid 6m 14 Paid Shares 7 4M Stock

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Call cost 50p per minute (daytime), 40p per minute at all other times. Call charges include

Market leaders: Top 20 volumes

Stock	Volume	Stock	Volume	Stock	Volume	Stock	Volume
ASDA Group	320000	Harman	80000	Volvo	80000	BT	300000
BT	250000	Sainsbury	80000	Gold Mt	40000	TSA	200000
BT	70000	Scotts Power	80000	BT	30000	Telecom	30000
Lloyds TSB	70000	Burns	50000	Gold Mt	40000	Male & Spencer	30000
BT	60000	Stobart	50000	BT	30000	Stora	30000

FTSE 100 Index hour by hour

Open 4055.0 down 2.1	11.00 4050.8 down 7.4	14.00 4045.0 down 13.0
09.00 4048.7 down 8.3	12.00 4044.4 down 13.6	15.00 4037.5 down 20.5
10.00 4048.6 down 8.4	13.00 4045.3 down 12.7	Close 4038.5 down 19.5

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Alcoholic Beverages	Bank, Merchant	Bank, Retail	Breweries, Pubs & Rest	Building Construction	Building Materials	Chemicals	Diversified Industrials	Electricity	Electronics	Food Manufacturers	Food Products	Health Care	Household Goods	Insurance	Investment Companies	Leisure & Hotels	Media	Oil Exploration	Oil Integrated	Other Financial	Pharmaceuticals	Printing & Paper	Property	Support Services	Telecommunications	Textiles & Apparel	Tobacco	Transport	Utilities	Water	Rights Issues	Recent Issues
Alcoholic Beverages	Bank, Merchant	Bank, Retail	Breweries, Pubs & Rest	Building Construction</																												

business

Franc likely to be dethroned in the battle to set currency rates

There are two stories on the foreign exchange at the moment: the heat is on the French franc for a devaluation; and heat of a rather different sort is on sterling for a further revaluation.

For anyone not intimately in tune with the strange logic of the exchange this must seem a curious turn of events. France, with a current account surplus, virtually no inflation, tight money, and a tight fiscal policy, and of course a prospective core member of the European Monetary Union, has a much weaker currency than six months ago, even though there has been no real change in the economic numbers in the interim. Britain, with strong growth and a current account balance, with a fairly loose monetary policy and an only slowly tightening fiscal policy, and with some signs of inflation a-coming, has a much stronger currency, even though there has also been no real change in the numbers. What is up?

There is a one-sentence answer, which is this. The French economy is growing slowly and needs devaluation or a sharp cut in interest rates to get it going again, while the UK economy is growing fast and sterling has become a "safe" haven from the impending euro.

The trouble with that sort of answer is that it explains what is happening, but not why. The answer to the "why?" takes a little longer. It comes in two parts. The first is fashion. The world financial community has decided that EMU might not be such a brilliant idea after all. When the plan was for an enlarged DM zone, with the French franc bound in too, that seemed a reasonable prospect. Now, whatever happens, there will be problems. The euro will embrace several weak currencies, in which case it will be unattractive, or there will be great tension between the ins and the outs. The politicians have unwittingly managed to engineer a dramatic change of

mood. There is a second and more substantial explanation for the change which relies not so much on fashion as on some hard calculations about the real underlying value of currencies. As we (or rather they) have got nearer to EMU people have started to try to work out whether the present relationship between the various currencies is durable; not whether they are "right", because there is no absolutely right rate; rather whether they are near enough to be credible in the long term.

If you say you are going to lock currencies together for ever and a day, you have to be absolutely confident that you have given the choice of rate your best shot. If the choice is cobbled together by politicians late on a Sunday night (as was the lira's re-entry to the ERM) this is unlikely to impress.

So what are "reasonably right" rates? I have just come across some purchasing power parity calculations published by the US investment bank, PaineWebber. These PPP rates, developed by comparing prices in the different countries, are not necessarily the best sustainable rates for the medium term, and certainly not for the short. Actual rates are affected not just by the state economies find themselves in at any one stage of the economic cycle, but by things like the relative com-



Hamish McRae

The French economy is growing slowly and needs devaluation or a cut in rates to get it going again while the UK economy is growing fast

petitiveness of export industries and by the willingness of citizens to save. A wonderful export sector, a fairly inefficient system of local distribution and a high propensity to save explains why the yen is so high.

Very efficient distribution and a lot of savings explains why the dollar tends to be weak. Nevertheless PPP rates are a useful guide to where, eventually, you might expect exchange rates to settle.

Now have a look at the table. These are not the only calculations of PPPs by any means; others have done them with rather different results. But they are useful base from which to start. The dollar unit, or devaluation, stands out, of course, being nearly 27 per cent too low against the German mark and more than 36 per cent too low against the Japanese yen. The sterling rate is not too bad - PaineWebber reckons that the PPP rate should be \$1.54, about where the pound was last summer, and that now the pound is 8-9 per cent over-valued against the dollar.

Few surprises there. But now look at the rates for sterling against the mark and the franc. The PPP rate is DM3.23, which is 20 above the present rate, but higher than the central rate of sterling when it was ejected from the ERM. Against the franc, we are some 17 per cent too high: the PPP rate is about F10 to the pound, that useful 10-to-one ratio that made it so easy to work out the prices on the menu in a French restaurant.

Is, on this basis, the franc over-valued against the mark?

Yes, a bit - a 6 per cent devaluation should set them right. But compared with some of the others on the list, the franc is not the problem: the problem is the mark/dollar rate.

Now it so happens that this is very much what monetary officials have been saying. Europe's problem is not so much an internal one of the rates between European currencies, but an external one between European currencies as a whole and the dollar. Sterling at the moment is a half-way house, being overvalued against the dollar and undervalued against the mark and the franc. Most other calculations would put the pound a bit lower - I have seen rates between DM3.10 and DM2.50 - but they would not change the general picture.

What should the conclusions be from all this for the two issues noted above: the weak franc and the strong pound? The main one, surely, is that while there may be a case for a slightly lower franc, it is not a powerful one. There is on the other hand a powerful case for lower French interest rates, and if the price for that were allowing the franc to slide down a little it would make great economic sense. As for sterling you can make a decent case for that appreciation to move a little further forward. But while there is leeway against the main continental currencies there is none against the dollar. We could sustain another 5 per cent revaluation of the exchange rate, but we are heading into unsustainable territory if we go too far beyond that.

My guess is that eventually the markets will get their way and manage to devalue the franc and that for a while sterling will become too strong. But that is not for any scientific reason: it is simply because the exchanges always overshoot; like super-tankers, once they start heading in one direction it takes a lot to turn them round.

Our Ken turns to Ofex for fun and games

PEOPLE & BUSINESS

Uh'up, chuck, our Ken's launching a company on Ofex. William Roache, the actor who plays Ken Barlow on Coronation Street, is raising £705,000 via an offer for subscription for his company Mambi.

Mr Roache founded Mambi in 1994 to market his own board game "Libel", which he invented while fighting a high-profile legal action against the Sun.

Mr Roache subsequently challenged the Sun's columnist Gary Bushell to a match of "Libel", and then helped Mr Bushell with a TV programme, *Bushell on the Box*. Mr Roache wants Mambi to develop more celebrity-related games, and is offering 43.5 per cent of the company to raise funds.

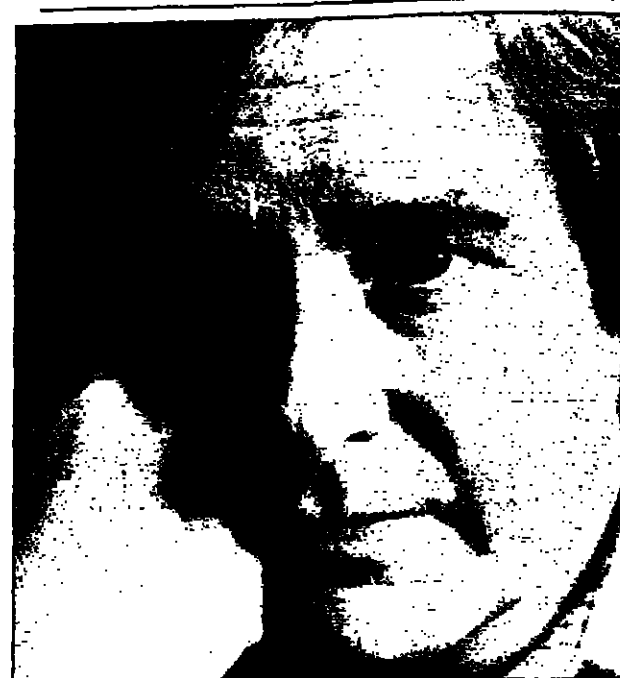
The market capital of Mambi will be around £1,620,000. Mr Roache has recruited Brian Hicks, a Hertfordshire-based accountant, as financial director, and both of them will be fleshing out their plans at a press conference this Thursday. Watch this space.

To the Hyde Park Hilton in London for an evening's pugilism courtesy of Goldman Sachs.

My reason for being there is that Richard Sermon, formerly known to me only as a public relations chap with Spandau and sometime spokesman for Goldman, is also chairman of The London Federation of Clubs for Young People.

The Federation has a distinguished history of holding boxing championships for young lads in the Capital, and last week it was the Senior Boxing Finals.

Seldom can so disparate a collection of people have gathered for a single event. There was Mr Sermon competing the evening, sat next to the Duke of Edinburgh, who was celebrating his 50th year as patron of the association. Mr Sermon is standing for election in January as an Alderman in the City Corpora-



Right up his street: William Roache aka Ken Barlow

tion. With such connections, surely "Sir Richard" cannot be far away.

Among the hundreds of dinner-jacketed junketeers who cheered the 20 or so boxers along, there was the author Martin Amis.

Or as the ring announcer said, "will you welcome please the famous writer Mr Martin Amis".

Boxer Barry McGuigan and Irish footballer Ray Houghton added to the glitter of the occasion.

Fenced off from the diners were the family and friends of the boxers, who frequently interjected with cheerful cries of "Kill 'im, Kevin".

There was also a large City contingent, including tables from Barings and Guinness Flight, who exchanged insults throughout the evening.

Guinness Flight started the fun by sponsoring one bout and getting the company to announce: "A message to Barings - glad to see you're

still here." Needless to say, the boxing, which was closely medically supervised, was more entertaining.

Those Acca people are having a torrid time of late. The Chartered Association of Certified Accountants, fresh from a public bust-up with accountancy Professor From Sikka, has taken legal action against an Irish accountancy body for plagiarism.

Antonia Rose, Acca's chief executive, says it has obtained an order restraining the Institute of Incorporated Public Accountants (IIPA) "from plagiarising Acca's syllabus and examination materials".

Ms Rose says: "It is regrettable that what purports to be a professional body should have plagiarised our material."

Cripes. It obviously doesn't pay to mix it with the toughies of Acca.

John Willcock

PPP Exchange Rates

Country	PPP Rate	Current Rate
US	1.00	1.00
UK	1.54	1.45
Germany	3.23	3.00
France	10.00	9.16
Japan	136.7	125.0
Italy	136.7	125.0
Spain	166.6	150.0
Sweden	10.00	9.16
Norway	136.7	125.0
Denmark	136.7	125.0
Belgium	136.7	125.0
Netherlands	136.7	125.0
Australia	136.7	125.0
New Zealand	136.7	125.0
South Africa	136.7	125.0
India	136.7	125.0
China	136.7	125.0
South Korea	136.7	125.0
Indonesia	136.7	125.0
Malaysia	136.7	125.0
Singapore	136.7	125.0
Thailand	136.7	125.0
Philippines	136.7	125.0
Maldives	136.7	125.0
Bhutan	136.7	125.0
Myanmar	136.7	125.0
Laos	136.7	125.0
Cambodia	136.7	125.0
Vietnam	136.7	125.0
Laos	136.7	125.0
Myanmar	136.7	125.0
Thailand	136.7	125.0
Philippines	136.7	125.0
Maldives	136.7	125.0
Bhutan	136.7	125.0
Myanmar	136.7	125.0
Laos	136.7	125.0
Cambodia	136.7	125.0
Vietnam	136.7	125.0

Interest Rates

D-Mark			UK			Germany			US			Japan		
Spot	1 month	3 months	Spot	1 month	3 months	Base	600%	Discount	250%	Prime	8.75%	Discount	050%	
97	—	—	08.64	—	—	France	—	Lombard	450%	Discount	—	Belgium	—	
98	24.23	75.73	08.70	—	—	Intervention	320%	Canada	—	Fed Funds	5.25%	020%	250%	
99	30.26	90.97	10.00	—	—	Italy	—	Prime	4.75%	Spain	—	Central	3.00%	
00	66.81	208.29	3.383	—	—	Discount	75%	Discount	5.00%	10-Day Repo	6.75%	Switzerland	—	
01	28.35	51.31	92.94	—	—	Netherlands	—	Denmark	—	Sweden	—	Lombard	100%	
02	48.47	149.47	73.705	—	—	Advances	250%	Discount	3.25%	Repo (Ave)	4.80%	020%	—	
03	—	—	05.71	—	—									
04	—	—	20.6383	—	—									
05	95.74	—	3.8253	—	—									
06	99.79	259.47	2.97	—	—									
07	36.37	121.16	1.12	—	—									
08	6.3	10.4	0.382	—	—									
09	50.25	119.48	4.870	—	—									
10	16.20	40.48	84.2383	—	—									
11	41.16	122.31	4.3593	—	—									
12	40.87	101.14	0.8517	—	—									
13	14.18	33.35	0.7821	—	—									
14	8.40	6.7	0.7061	—	—									
15	27.30	80.85	1.6378	—	—									
16	54.56	97.99	0.9199	—	—									
17	1.4	5.5	2.4317	—	—									

Bond Yields									
Country	Byr	yield %	10yr	yield %	Country	Byr	yield %	10yr	yield %
UK <td>7yr</td> <td>7.05</td> <td>7 1/4</td> <td>7.33</td> <td>Netherlands</td> <td>8 1/4</td> <td>4.83</td> <td>6 1/8</td> <td>5.57</td>	7yr	7.05	7 1/4	7.33	Netherlands	8 1/4	4.83	6 1/8	5.57
US <td>6 1/4</td> <td>5.85</td> <td>7 1/4</td> <td>6.07</td> <td>Spain</td> <td>10 3/4</td> <td>9.12</td> <td>10 3/4</td> <td>654</td>	6 1/4	5.85	7 1/4	6.07	Spain	10 3/4	9.12	10 3/4	654
Japan <td>5 1/4</td> <td>1.88</td> <td>3 1/4</td> <td>2.47</td> <td>Italy<td>9 1/4</td><td>6.82</td><td>9 1/4</td><td>7.54</td></td>	5 1/4	1.88	3 1/4	2.47	Italy <td>9 1/4</td> <td>6.82</td> <td>9 1/4</td> <td>7.54</td>	9 1/4	6.82	9 1/4	7.54
Australia <td>8 1/4</td> <td>6.94</td> <td>10</td> <td>7.07</td> <td>Belgium<td>8 1/4</td><td>4.93</td><td>7 1/8</td><td>5.78</td></td>	8 1/4	6.94	10	7.07	Belgium <td>8 1/4</td> <td>4.93</td> <td>7 1/8</td> <td>5.78</td>	8 1/4	4.93	7 1/8	5.78
Germany <td>8 1/4</td> <td>4.95</td> <td>6 1/4</td> <td>5.83</td> <td>Sweden<td>12</td><td>5.96</td><td>8</td><td>6.83</td></td>	8 1/4	4.95	6 1/4	5.83	Sweden <td>12</td> <td>5.96</td> <td>8</td> <td>6.83</td>	12	5.96	8	6.83
France <td>9 1/4</td> <td>5.47</td> <td>7 1/4</td> <td>5.60</td> <td>ECU</td> <td>0 1/4</td> <td>4.88</td> <td>7 1/4</td> <td>6.00</td>	9 1/4	5.47	7 1/4	5.60	ECU	0 1/4	4.88	7 1/4	6.00

Yields calculated on base lines

Source: benchmark

Money Market Rates			
1 Month	3 Month	6 Month	9 Month
—	—	—	—

sport

France enhance cup's stature

Simon O'Hagan, in Malmö, on the toil and the joy of a tennis epic

Just before play began on the last day of the Davis Cup final in Malmö on Sunday, Brian Tobin, the benign Australian who is president of the International Tennis Federation, issued a statement headed "The Davis Cup - A Justification".

The 65-year-old Tobin was feeling aggrieved. "Malcontents", as he described them, were trying to undermine the annual, ITF-run men's team championship by suggesting that it was cluttering up the schedule of ATP tour events and Grand Slams. Among those Tobin had in mind were Andre Agassi and Pete Sampras, who have rather patronisingly tended to pick and choose when to play Davis Cup: a few days previously Sampras had upped the ITF by suggesting that it might be an idea to make it a biennial or even quadrennial affair.

Tobin duly mounted a stout defence of the competition. With 127 countries taking part in 1997, it was helping to take tennis to all corners of the globe: it was important for the development of young players, from which the ATP Tour benefited; and the tradition of an event that can trace its origins back to 1900 ought to be respected.

What Tobin omitted to refer to was the unique quality of Davis Cup tennis - the sort of tension, and scope for heroism, that as any Ryder Cup golfer will tell you only comes when individuals are doing it for the team. And never was that truer than in the incredible drama that unfolded later when France and Sweden produced unarguably the greatest final in the competition's long and illustrious history.

There could have been no more ringing justification for the Davis Cup than a match which ended with Arnaud Boetsch, having saved three match points, beating Nicklas Kulti 10-8 in the fifth set of the deciding singles to bring France a victory like no other. Never before in 84 finals had the outcome rested on the final set of the final match, and for Agassi and Sampras to regard as unworthy of their full support a competition as pure, meaningful and gripping as this can only diminish them.



France's hero: Arnaud Boetsch is borne aloft by his team-mates after the most extraordinary Davis Cup final of all time

Photograph: Eric Gaillard/Reuters

Yannick Noah, the winning captain, got it absolutely right afterwards when an elated French team came in to meet the press with the clock ticking into the early hours of Monday morning. "What I love about the Davis Cup is it's not about contracts, it's not about schedules, it's not about business," he said. "It's about the team. It's a different thing. It takes a certain character to win matches in Grand Slams, but in the Davis Cup you have to give up a lot for others. You have to sacrifice a lot of things. If people choose not to play, it's too bad. We'll just keep winning. It doesn't take anything away from us."

The feeling Noah has for the Davis Cup and the need for collective purpose was obvious from the way he led the team to an emotional victory over the United States in Lyon in 1991, and what he achieved here was, if anything, of even greater magnitude. "The joy we feel is very special because we love competing as a group," he said. Noah must now be ripe for a sainthood.

It was "like a dream" for the 27-year-old Boetsch, who had come on court after Thomas Enqvist's wonderful recovery from two sets down to beat Cedric Pioline had returned the psychological advantage to the Swedes. "Five years ago I was in the team but I didn't play," Boetsch said. "I was supporting my friends and trying to do my best for them, and this time I was playing. It was a big honour for me, and to win this match in this way was unbelievable."

One's heart bled for Kulti, the 25-year-old doubles player who had been drafted in after Stefan Edberg failed to recover from his twisted ankle. He was much less experienced in singles than his opponent, but he played the match of his life, and when, in the final set, Boetsch stood at 6-7 and 0-40 he was on the brink of writing his name into Swedish legend. He will be remembered anyway, not least because he was brave enough to try for outright winners on all three match points, and it was perhaps fitting that in the match that marked an ultimately frustrating farewell to the game for Edberg, the Swedes found in both Enqvist and Kulti new men to acclaim.

match in this way was unbelievable."

Tim Henman, the first British player to gain a place in the Grand Slam Cup since the tournament began in 1990, will have the odds stacked against him when he plays the opening match at the Olympiastadion in Munich today.

Michael Stich, the 1991 Wimbledon champion from Germany whom Henman has been drawn against in the first round, has been in Munich for the past seven days preparing for the event.

Henman must meet Stich

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Michael Stich, the 1991 Wimbledon champion from Germany whom Henman has been drawn against in the first round, has been in Munich for the past seven days preparing for the event.

Henman did not even learn he was in the tournament, following the withdrawal of the American trio of Pete Sampras, Michael Chang and Todd Martin, until the weekend and had not hit a ball since he won the British National championships at Telford more than two weeks ago.

What makes Henman's task even more difficult is that Stich is not at all nervous when playing before his home crowd. He has won 18 titles on the ATP Tour and seven of them have been in Germany.

Henman has never played Stich before and at 6ft 4in, the big-serving German is particularly menacing on indoor courts and not only won the Grand Slam Cup in 1992 but was also runner-up in 1993.

Henman, however, has been outstanding during the past 12 months, having reached six ATP Tour semi-finals since January and, in reaching the last eight at Wimbledon, defeated Yevgeny Kafelnikov in the first round.

Whatever his fate today, the 22-year-old Henman is guaranteed \$100,000 (£60,864) in prize-money.

Henry made to battle for championship

Snooker

Stephen Hendry achieved his first goal of the season by retaining his United Kingdom Championship at Preston's Guild Hall, winning on the final frame. Hendry, who had led John Higgins 8-4, came back from 9-8 down for a thrilling 10-9 victory in Sunday's final.

The win over his unlucky World Cup-winning team-mate put the Scot on course to emulate his clean sweep of the top three honours during 1995-96. Had he won, the 21-year-old Higgins would have become the provisional world No 1, denying Hendry top spot for only the second time in six years.

"All this talk of who is No 1 is twaddle," Hendry said. "You can only call yourself No 1 after the World Championship at the end of the season. And that's where I aim to be. But John and I are the two best players in the game. We are stretching away from the rest."

Anything other than an easy win had looked unlikely when Hendry was poised to lead 9-4 after compiling his third century of the match in the 12th frame. But from 59-20 ahead, he conceded four points after swerving to escape from a snooker, giving Higgins the chance to clear and then win the re-spotted black that followed.

Higgins gained confidence, taking the next four frames, and at 9-8 threatened Hendry's 17-match unbeaten record. Undeterred, Hendry made breaks of 82 and 77 to claim the final two frames in just 18 minutes.

Final (Preston): S. Hendry (Scotland) 10-9 J. Higgins (Scotland). **Finals:** S. Hendry (Scotland) 10-9 J. Higgins (Scotland). **Semi-finals:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Quarter-finals:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 16:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 32:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 64:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 128:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 256:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 512:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 1024:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 2048:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 4096:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 8192:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 16384:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 32768:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 65536:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 131072:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 262144:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 524288:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 1048576:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 2097152:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 4194304:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 8388608:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 16777216:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 33554432:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 67108864:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 134217728:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 268435456:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 536870912:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 1073741824:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 2147483648:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 4294967296:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 8589934592:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 17179869184:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 34359738368:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 68719476736:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 137438953472:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 274877906944:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 549755813888:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 1099511627776:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 2199023255552:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 4398046511104:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 8796093022208:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 17592186044416:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 35184372088832:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 70368744177664:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 140737488355328:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 281474976710656:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 562949953421312:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 1125899906842624:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 2251799813685248:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 4503599627370496:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 9007199254740992:** S. Hendry (Scotland) 5-0 J. Higgins (Scotland). **Round of 18014398509481984:** S. 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